

Exhibit 1-9

UNITED STATES DISTRICT COURT
FOR THE
WESTERN DISTRICT OF WASHINGTON

JOHN DOE #1, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	NO. 09-cv-05456-BHS
)	
SAM REED, et al.,)	
)	
Defendants.)	

DEPOSITION UPON ORAL EXAMINATION OF [REDACTED]

September 13, 2010
Vancouver, Washington

DIXIE CATTELL & ASSOCIATES
COURT REPORTERS & VIDEOCONFERENCING
(360) 352-2506 ** (800) 888-9714

EGELER ([REDACTED], 9/13/10)

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1 BE IT REMEMBERED that on Monday, September 13,
2 2010, at 12:12 p.m., at 1220 Main Street, Suite 510,
3 Vancouver, Washington, before REBECCA S. LINDAUER, Notary
4 Public in and for the State of Washington, appeared [REDACTED]
5 [REDACTED], the witness herein:

6 WHEREUPON, the following proceedings were had, to
7 wit:

8
9 JOHN SCIGLIANO, having been first duly sworn by the
10 Notary, translated from English to
11 Russian and Russian to English as
12 follows:

13
14 [REDACTED], having been first duly sworn by
15 the Notary, testified as follows:

16 EXAMINATION

17 BY MS. EGELER:

18 Q [REDACTED], could you please state your entire name,
19 please.

20 A In the patronymic as well, a middle name?

21 Q Yes, please.

22 A [REDACTED].

23 Q And are you a U.S. citizen?

24 A At present I am, yes.

25 Q And when did you become a United States citizen?

EGELER ([REDACTED], 9/13/10)

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1 A In 2003.

2 Q And are you a registered voter in the state of Washington?

3 A Yes, I am.

4 Q I wanted to let you know before we get going that everything
5 we say today is being taken down by our court reporter, and
6 you'll have an opportunity to review that, if you want to.
7 So that she has a good record, we'll need to say yes or no
8 rather than nodding or saying um-hmm because those things
9 won't show.

10 A Okay.

11 Q If anything I ask you is unclear for any reason, please ask
12 me to clarify. It's important that we understand each
13 other.

14 A Okay.

15 Q [REDACTED], could you please tell me where you're
16 employed.

17 A I work presently at the [REDACTED].

18 Q Do you have any other employment?

19 A Nowhere else.

20 Q And was that the case in 2009 also?

21 A It was the same.

22 Q And that's the [REDACTED],
23 correct?

24 A Yes.

25 Q How many parishioners do you have at the church?

EGELER ([REDACTED], 9/13/10)

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1 A Parishioners, approximately 700 people.

2 Q Would that have been about the same in 2009?

3 A I think so.

4 Q You have been named as a witness in a lawsuit, Doe v. Reed.
5 Were you aware of that?

6 A Yes, I was. I was called by telephone and told of this and
7 so, yes, I was aware.

8 Q And when were you called by telephone and told of this?

9 A It was perhaps at the beginning of this year, maybe March.

10 Q And who called?

11 A That, I cannot say who called. I think the call was maybe
12 from Olympia or maybe from Seattle.

13 Q Do you know if it was from the attorneys for the plaintiffs
14 in the case?

15 A I can't say for sure. I can understand what it is about,
16 but as far as understanding in English what this
17 organization is, I don't know. I don't even really know now
18 what this organization is that I'm dealing with.

19 Q Do you know what the lawsuit is about?

20 A No.

21 Q Being named as a witness in this case may require you to
22 appear in federal court in Tacoma and testify publicly.

23 A Yes. I'm ready to go wherever.

24 Q Do you have any objection or concern with testifying
25 publicly in court?

EGELER ([REDACTED], 9/13/10)

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1 A No. I have no concerns.

2 Q Are you knowledgeable about Referendum 71?

3 A Yes. I was made familiar with it.

4 Q And when did you first become aware of it?

5 A I think probably in August or in July of last year.

6 Q And how did you become aware of it?

7 A I can't now say exactly, but we received information by mail
8 that came to our home. We received it and everything there
9 was all clearly laid out.

10 Q Do you know where the mail came from? Do you remember?

11 A I can't say the name right now, but I believe it was from
12 that same organization that was on the side of the -- what
13 was it called? I don't know. But it was definitely an
14 organization that sent it.

15 Q Was it a church organization?

16 A I don't think so. That is for sure that it was not a church
17 organization.

18 Q Did you sign the Referendum 71 petition?

19 A Yes, I did sign it.

20 Q Do you remember where you were when you signed it?

21 A Yes, I do. I was at home.

22 Q Who brought the petition to you at home?

23 A The petition was brought to me in the same way. We received
24 it by mail.

25 Q And did you then mail the petition to someone?

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1 A No. I didn't send it to anyone by mail. It arrived by mail
2 and there were somewhere around 40 newspapers there and on
3 each there were about 20 names, and my son was directly
4 involved in this matter. He gathered signatures. He knew
5 where to send it.

6 Q Did you talk to others about Referendum 71 and encourage
7 them to sign the petition?

8 A Of course I spoke to many people about it, and I expressed
9 my opinion about it, and of course, people knew my view
10 about this matter.

11 Q Did you speak to the parishioners at your church about this?

12 A No.

13 Q Were petitions available inside the church for people to
14 sign?

15 A The petitions were everywhere.

16 Q Were they inside the church?

17 A Both inside and outside the church and they were at bus
18 stops and at the mall as well.

19 Q Did you at any point speak to anyone inside the church,
20 anyone who attends the church, about signing the petitions
21 that were located inside the church?

22 A I separate political and religious affairs. In the church,
23 we don't talk about political matters. The petitions were
24 in the church. People had free choice to sign them, and no
25 one forced them to do so.

EGELER ([REDACTED], 9/13/10)

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1 Q Did you speak at all in the church from a religious
2 perspective about gay marriage?

3 A I did speak of it, of course, on the basis of the word of
4 God, what the Bible says about these things, and I separate
5 the attitudes toward people and towards sin. We love people
6 regardless of their origin, inclinations, or sexual matters.

7 Q But you did tell your congregation that gay marriage
8 religiously is inappropriate or wrong?

9 A I did and I believe that is so.

10 Q Did you have a Referendum 71 sign in your yard at your home?

11 A Where I live on our property, we did not have any specific
12 sign like that for the reason that it's not a -- it's not a
13 through roadway. If it were, I would have had the sign.

14 Q Were any Referendum 71 signs put up at the church inside or
15 outside the church?

16 A We did not put any up.

17 Q Did you have a bumper sticker on your car saying reject
18 Referendum 71?

19 A I did not.

20 Q Did you go to any public places and help to gather petition
21 signatures?

22 A I did not.

23 Q Did you go to any public places and hold a Referendum 71
24 sign?

25 A No. I did not take part in these.

EGELER ([REDACTED], 9/13/10)

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1 Q I understand that your son Dmitry organized many events.

2 Did you attend any of the events concerning Referendum 71?

3 A I repeat, I did not take part in any of these events, and
4 I'll add not because I did not want to, but because I did
5 not have the opportunity to.

6 Q Did you observe the counting of the signatures on the
7 petitions?

8 A No, I did not observe.

9 Q Did you have any other involvement with Referendum 71 I
10 haven't asked you about?

11 A For example, what might that be?

12 Q Well, actually two other things I want to ask about. Do you
13 have a church Web site?

14 A We do have a church Web site, but we don't have anything to
15 do with this.

16 Q Do you have a church newsletter?

17 A No.

18 Q At any point, was anything about Referendum 71 or the
19 gatherings that your son was planning posted on the church
20 Internet site?

21 A It never was, no.

22 Q Did you attend any meetings to plan activities regarding
23 Referendum 71?

24 A No, I was not. If there were any such gatherings, I would
25 have known about them, of course, and I would have been

EGELER ([REDACTED], 9/13/10)

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1 there.

2 Q But there were such meetings, weren't there, that your son
3 held?

4 A As far as my son, I don't know of any that he held. I think
5 that you would have to ask him.

6 Q Did you meet with [REDACTED] about Referendum 71 or
7 discuss it with him?

8 A I discussed this issue with many pastors. For the most
9 part, they were American pastors.

10 Q And did you express your opinion about Referendum 71?

11 A It was entirely by e-mail and by mail.

12 THE INTERPRETER: Actually, the interpreter didn't
13 interpret the question. The interpreter did not interpret
14 the last question --

15 MS. EGELER: Sorry.

16 THE INTERPRETER: -- Attorney General. Did you
17 express your opinion, was that the question?

18 MS. EGELER: Yes.

19 A Well, personally my English is not such to be able to
20 respond much, but as far as information I received from
21 various pastors, you know, I did speak of that.

22 Q (By Ms. Egeler) Did you allow your name to be used as a
23 person who was endorsing Referendum 71?

24 A No, of course.

25 Q I understand that you suffered some harassment as a result

EGELER ([REDACTED], 9/13/10)

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1 of signing Referendum 71. Is that correct?

2 A Directed at me personally, no, but in general, yes. There
3 were several times when, by the church, we found notes that
4 had been printed from a computer which contained things
5 like: You're worst than the fascists. Get out of here.
6 Nothing is going to come of this for you. Your children
7 will be just like us --

8 Q And these --

9 A -- that they will be homosexuals. We'll make them -- we
10 received these several times. They were left by the church,
11 several copies. I was obliged to speak of this in the
12 church so that people wouldn't pay attention to this, so
13 that our people could bless these people, saying that we
14 hate sin, but we love people and that's all. There were no
15 threats directly at me personally, but in general, there
16 were.

17 Q So these were printed on paper and left in front of the
18 church. Is that correct?

19 A There were many, both by the church and left on the
20 windshields, under the windshield wipers of cars.

21 Q Did you keep any of them?

22 A We had no goal at that time of keeping something, especially
23 things such as these in order to prove our side or that we
24 were right. Maybe some of the people might have kept them,
25 taking them off their windshields. I don't know.

EGELER ([REDACTED], 9/13/10)

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1 Everything that was found on the church property was thrown
2 in the garbage.

3 Q Did anything else happen?

4 A Well, that's specifically what I witnessed, but also I have
5 specifically spoken to people and heard them attest to
6 threats.

7 Q Did anything else happen to the church or near the church?

8 A Other than that incident, no.

9 Q And who did you talk to that was harassed in some way?

10 A The thing is, it was about two years ago, when people were
11 going out in Portland where there was also a protest against
12 this matter. A pastor of a certain church said that eggs
13 were tossed at them, at their cars. I know this pastor and
14 believe him.

15 Q Who is this?

16 A [REDACTED].

17 Q Can you spell that?

18 A I think it's [REDACTED].

19 Q And is he a pastor in Portland?

20 A Yes.

21 Q I'm confused that there would be a rally in Portland because
22 Referendum 71 is a Washington issue, and Oregon cannot vote
23 on Washington issues. Could it be that he was at a rally
24 for a similar issue on the Oregon ballot?

25 A I think it was not connected to this referendum, but they

EGELER ([REDACTED], 9/13/10)

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1 had something of their own there on this issue.

2 Q Did you --

3 A So I think it's just not on this referendum, but on the same
4 grounds that people who were defending this position, they
5 were very aggressive.

6 Q And did this occur, the Portland incident, two years ago?
7 Is that what you said?

8 A Yes, two years ago.

9 Q And you said that you heard about harassment of others. Is
10 that the incident you were thinking of or are there other
11 things you've heard of as well?

12 A No. I know several specific testimonies of other people.
13 The first thing is that when people went out to protest, our
14 people -- or not our people, but people on this issue were
15 out standing at Mill Plain and Chkalov, and people would
16 stop, people who were supporters of the same sex marriage,
17 and some of these people stopped and tried to tear away the
18 placards from young women, girls, who were holding the
19 placards that said reject. They would stop at a traffic
20 light and open their car windows and they would lower their
21 pants and show their behinds.

22 Q Who told you this?

23 A I can't say now exactly who did, but my son was a witness to
24 these things. He was not alone. There were perhaps 40
25 people there.

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1 Q Was it your son [REDACTED] who told you about this?

2 A My son [REDACTED] did tell me.

3 Q Is there anything else you've heard about?

4 A Well, some things that I've heard but I simply can't name
5 the specific people, and some people I do not want to name.
6 I think that I can confirm those things that I've personally
7 seen and I've told of them.

8 Q The signs that were left by the church, the printed things,
9 did you call the police and report that you had received
10 those outside the church?

11 A No, of course not. No. We are not planning to retaliate
12 against anyone or present -- make any charges. It's just
13 when a certain pressure is brought to bear on us, I need to
14 speak of these things. I otherwise would not speak of it.

15 Q When you read those printed things, did you feel that you or
16 any of your congregation were at risk of any sort of harm?

17 A I can only speak for myself. I do not of course feel that
18 I'm threatened by these statements, but it's unpleasant when
19 people are saying -- directing this at our children, that
20 we're going to make them just like us.

21 Q Do you feel that people who have a different viewpoint about
22 Referendum 71 have a right to express that opinion?

23 A Of course.

24 Q Although I understand the things that were said on the --
25 these printings were rude and not kindly stated, did you

EGELER ([REDACTED] , 9/13/10)

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1 feel that it went beyond their constitutional right to
2 speak?

3 A Definitely, I do.

4 Q But you chose not to call the police?

5 A Right.

6 Q Did you think the police might be able to help you with
7 this?

8 A No, I didn't.

9 Q Why not?

10 A I don't know. Maybe it's our Russian upbringing not to run
11 for help right away.

12 Q But if I understand you, you didn't feel that these people
13 were trying to physically harm you or your parishioners or
14 the church?

15 A Of course I don't think so. I didn't have that kind of
16 fear.

17 Q Did you personally experience any other harassment that we
18 haven't talked about?

19 A Maybe I didn't understand.

20 Q Did you yourself experience any other -- any other
21 harassment or any threats as a result of your signing the
22 Referendum 71 petition?

23 A No. Everything that I've heard or that I have been a
24 witness to I've told you about.

25 Q I just have a question about an incident that you told me

HAMILTON ([REDACTED], 9/13/10)

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1 you heard from your son [REDACTED]. You said you were told that
2 people tried to pull a sign away from a young woman. Do you
3 know if the police were contacted about that?

4 A No, I don't know.

5 MS. EGELER: I have no other questions.

6 EXAMINATION

7 BY MS. HAMILTON:

8 Q My name is Jessica Hamilton. I'm an attorney and I
9 represent Washington Families Standing Together, which is a
10 group of civil rights organizations and churches that
11 supported the Referendum 71 -- supported -- was against
12 getting Referendum 71 on the ballot. We opposed
13 Referendum 71. Sorry about that.

14 THE INTERPRETER: Interpreter asked to repeat the
15 name of the organization.

16 MS. HAMILTON: Washington Families Standing
17 Together.

18 Q (By Ms. Hamilton) I just have a few questions for you.

19 Do you recall when the petition gathering of signatures
20 was over, the time?

21 A I think it was maybe July, maybe somewhere around there. I
22 don't even know exactly.

23 Q Okay.

24 A You see, in my life this issue is not one that I've -- that
25 is so salient in my life that I think about it a lot.

HAMILTON ([REDACTED] , 9/13/10)

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1 Q Since that period of time, July or August, have you felt any
2 fear or experienced any threats because you signed the
3 petition?

4 A Well, as far as fear and threats go, I've said everything I
5 have. I really have nothing to add.

6 Q So since that time, no threats?

7 A No threats.

8 Q And no --

9 A Personally directed at me, no.

10 Q Have you heard of anyone else who has gotten a threat as a
11 result of signing a petition, since the signature gathering
12 has ended?

13 A I have.

14 Q Who?

15 A Well, who? Do I need to name names?

16 Q Can you describe the incident you heard?

17 A Well, I know a lot of incidents, things I've heard of, but I
18 was not a witness to them.

19 Q Are these all incidents that occurred since the signature
20 gathering has ended, since the campaign has ended?

21 A Yes. I have heard a lot of testimony about threats about --
22 that there would be consequences for all these people who
23 signed, that, you know, it won't go -- that we will get
24 vengeance.

25 Q Do you know who said these things?

EGELER ([REDACTED], 9/13/10)

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1 A You know, I don't -- I don't keep a record of these things
2 because it's not my area to record them. When you asked
3 what I heard, yes, I have heard, but who said it, I can't
4 say. If you need to find out, of course I can find out, but
5 I'm not going to get involved in this matter.

6 Q From your perspective, the campaign for Referendum 71 is
7 done for you. Is that correct? Maybe not the issues, but
8 the campaign itself, the political campaign, is over?

9 A Yes. In general, yes. Once it's done, I haven't returned
10 to it.

11 MS. HAMILTON: Can we go off the record for a
12 second?

13 (Recessed at 1:03 p.m.)

14 (Reconvened at 1:04 p.m.)

15 EXAMINATION

16 BY MS. EGELER:

17 Q I'll pick up. You said that you heard about other people
18 who said that there would be consequences as a result of
19 signing the petition. What other people said this?

20 A There were various people.

21 Q You've been named as a witness in a federal lawsuit, and I
22 understand that you may not feel comfortable naming these
23 names, but as part of the legal process, during the
24 deposition, we do have the right to ask you for those names.

25 A And, well, I have the right not to answer you.

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1 Q Do you know the names of people who have said that there
2 would be consequences?

3 A That there would be consequences if their names were made
4 public, shown, is that it?

5 Q Yes.

6 A Yes. There is certain people that have experience in this
7 and there's grounds for them saying it. Many friends in
8 California who have suffered from this.

9 Q So the people in California, I don't need to know their
10 names.

11 A Well, people of everywhere. If similar things have taken
12 place, if people have been subjected to certain threats,
13 when this issue was being decided, there's -- will guarantee
14 that it will take place here.

15 Q Have individuals come to you personally and told you
16 personally that they are at risk of harassment or threats
17 because they signed Referendum 71?

18 A No. This is simply the testimony of people. Personally no
19 one came to me.

20 Q And you said that you know of others who have suffered
21 harassment other than the stories that [REDACTED] told you, your
22 son. Is that correct?

23 A Yes, correct. I would like to ask you to specify. Are you
24 asking me to gather, to collect the testimony of these
25 specific people or what? What do you need?

C E R T I F I C A T E

I, REBECCA S. LINDAUER, a duly authorized Notary Public in and for the State of Washington, residing at Lacey, do hereby certify:

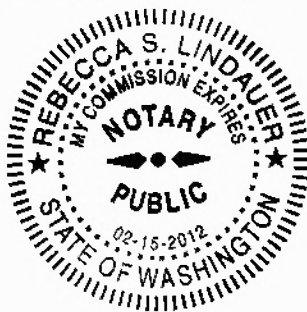
That the foregoing deposition of [REDACTED] was taken before me and completed on the 13th day of September, 2010, and thereafter transcribed by me by means of computer-aided transcription; that the deposition is a full, true, and complete transcript of the testimony of said witness;

That the witness, before examination, was by me duly sworn to testify the truth, the whole truth, and nothing but the truth, and that the witness reserved signature;

That I am not a relative, employee, attorney, or counsel of any party to this action or relative or employee of any such attorney or counsel, and I am not financially interested in the said action or the outcome thereof;

That I am herewith securely sealing the deposition of [REDACTED] and promptly mailing the same to MS. ANNE E. EGELER.

IN WITNESS HEREOF, I have hereunto set my hand and affixed my official seal of this 16th day of September, 2010.



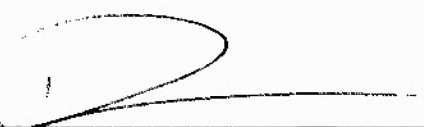

Rebecca S. Lindauer, CSR#2402
Notary Public in and for the State of
Washington, residing at Lacey.

Exhibit 1-10

UNITED STATES DISTRICT COURT
FOR THE
WESTERN DISTRICT OF WASHINGTON

JOHN DOE #1, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	NO. 09-cv-05456-BHS
)	
SAM REED, et al.,)	
)	
Defendants.)	

DEPOSITION UPON ORAL EXAMINATION OF [REDACTED]

September 15, 2010

Longview, Washington

DIXIE CATTELL & ASSOCIATES
COURT REPORTERS & VIDEOCONFERENCING
(360) 352-2506 ** (800) 888-9714

EGELER ([REDACTED], 9/15/10)

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1 BE IT REMEMBERED that on Wednesday, September 15,
2 2010, at 1:58 p.m., at 1700 Hudson Street, Suite 300,
3 Longview, Washington, before REBECCA S. LINDAUER, Notary
4 Public in and for the State of Washington, appeared [REDACTED]
5 [REDACTED], the witness herein:

6 WHEREUPON, the following proceedings were had, to
7 wit:

8
9 [REDACTED], having been first duly sworn by
10 the Notary, testified as follows:

11 EXAMINATION

12 BY MS. EGELER:

13 Q I would like to start by having you spell your full legal
14 name or state your full legal name, rather.

15 A Middle name too?

16 Q Yes.

17 A [REDACTED].

18 Q Are you a registered voter in Washington?

19 A Yes.

20 Q [REDACTED], have you ever attended a deposition before?

21 A No.

22 Q I'll give you a little bit of the basic rules. Everything
23 that we say is being taken down by the court reporter, so to
24 help her, it's very important that we let each other finish
25 our sentences, rather than talking over each other. Okay?

EGELER ([REDACTED] , 9/15/10)

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1 A I walked around.

2 Q Did you talk to people who were opposed to Referendum 71?

3 A Yes.

4 Q And were you able to obtain signatures?

5 A Yes.

6 Q Any other days that you gathered signatures that you
7 remember?

8 A Not specifically, no, other than like what I said, you know,
9 going to family. I couldn't tell you what days that was,
10 so . . .

11 Q Did you gather signatures within the church?

12 A No, I don't think I did. No.

13 Q Did you speak to anyone at the church or in your youth group
14 about Referendum 71?

15 A Yes.

16 Q And do you remember who you spoke to?

17 A No. Just would be whoever would have been there during the
18 time to explain to people I guess the situation and what it
19 was.

20 Q You said that there were five -- approximately five youth
21 over the age of 18 that attended. Do you think you would
22 have explained or, rather, do you think you did explain to
23 each of them?

24 A What the case was?

25 Q Or rather what Referendum 71 was.

EGELER ([REDACTED] , 9/15/10)

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1 A Yeah.

2 Q And did you share your opinion about Referendum 71 with
3 them?

4 A I probably -- no, I can't say for sure. All I can say is
5 probably, but no, I don't know.

6 Q Did you encourage those who were registered voters within
7 the youth group to sign the petition?

8 A I don't think I did. I would say no because probably --
9 yeah, I would probably say no.

10 Q Did you ever speak to the youth group about homosexuality?

11 A Yes.

12 Q And what did you say?

13 A Anything that I would have talked about I couldn't say
14 exactly what it would have been in the Bible, but doing a
15 Bible study, so . . .

16 Q People have different views about what's in the Bible, so if
17 you could give me a little more information about what you
18 said.

19 A Sure. Like Romans Chapter 1, you know, it's pretty word for
20 word, and so I usually go pretty word for word when I read
21 the Bible. And oftentimes in a Bible study, I'll ask, even
22 if I think it spells it out, I'll ask people what it says so
23 they can get the understanding and allow people to see what
24 it says, so I'm not telling people what it means.

25 I'm telling them what it says and then -- so that, you

EGELER ([REDACTED] , 9/15/10)

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1 know, they don't run around thinking something is what the
2 Bible says because I told them it's what it says, so they
3 understand it's what the Bible says because they read it
4 themselves and see that, so they can have their own
5 convictions, not mine. I would have stayed pretty close to
6 what it would have said there.

7 If I explained, it would have been if somebody had not
8 understood a word or something like that. But, you know,
9 especially if it was somebody who was over the age of 18,
10 they would have understood, I'm sure.

11 Q And do you recall ever making a connection during a Bible
12 study between what the Bible says about homosexuality and
13 the Referendum 71 petition campaign?

14 A Yeah. I'm pretty sure I could say yeah, I did.

15 Q Yes, that you did?

16 A (Witness nods head.)

17 Q Did you ever go out with Referendum 71 signs and hold up a
18 sign in a public location?

19 A Yes.

20 Q Can you tell me about that?

21 A We met one day -- or I went one day down to the intersection
22 down here of the Allen Street Bridge and I believe it's
23 First Avenue there and stood and held a sign for probably
24 about two or three hours.

25 Q How many people were there with you?

EGELER ([REDACTED] , 9/15/10)

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1 A How many people came with me or how many people were there?

2 Q Were there.

3 A Probably 70.

4 Q And by "people there," I mean people there holding signs.

5 A Yeah.

6 Q And is that a place that you would consider a high traffic
7 area?

8 A Yes.

9 Q Was this site chosen because it's a high traffic area?

10 A Probably, yeah.

11 Q Did you bring people with you to this event?

12 A No.

13 Q Did you tell the youth group about this event?

14 A No.

15 Q Do you have a Facebook or a Myspace or a Web page?

16 A Yes.

17 Q Which of those?

18 A I have all three.

19 Q All three?

20 A Yeah.

21 Q Do you recall whether or not you announced this event or
22 provided information about it?

23 A I know I didn't so, no, I didn't. I don't think I even had
24 a Facebook then, and Myspace, I don't know if I even had a
25 Myspace then either. I didn't have a Web page then.

EGELER ([REDACTED], 9/15/10)

Page 16

1 Q So you had no media?

2 A I didn't put any of that on, any of that stuff, no.

3 Q Did you go to this location with signs on one occasion or
4 multiple?

5 A One.

6 Q Do you recall speaking with any reporters while you were
7 there?

8 A I did not.

9 Q Did you place a Referendum 71 sign in your yard?

10 A No.

11 Q Did you put a Referendum 71 bumper sticker on your car?

12 A No.

13 Q Other than speaking to your youth group -- let me back up a
14 little. Are your youth group and Bible study group
15 separate entities or are we talking about the same group
16 when we talk about --

17 A When you're talking about like Friday night or the skate
18 church I do?

19 Q Well, I'm focusing on 2009, so let me ask some clarifying
20 questions. You talked about being a youth minister then and
21 you worked with a youth group on Friday nights.

22 A Yes.

23 Q Then in some spots I think you also talked about a Bible
24 study. Is that right?

25 A We did the Bible study. That was our youth group. We would

EGELER ([REDACTED] , 9/15/10)

Page 21

1 A Yes.

2 Q Do you think some people have hostility about the issue of
3 abortion?

4 A Yes.

5 Q Do you worry that perhaps putting abortion messages on the
6 Internet might cause angry words or hostility?

7 A I'm sure that it could.

8 Q Is this another instance where you're willing to take that
9 risk because you want to stand up for what you believe is
10 right?

11 A Are you asking me that somebody's going to watch the video
12 and get angry about abortion happening or are you asking if
13 I'm concerned that somebody's going to see that I stand
14 against abortion and then attack my family based upon that?

15 Q The latter.

16 A Okay.

17 Q I'm asking whether you worry that some people who may be
18 extremists in their prochoice, proabortion --

19 A Yes.

20 Q -- or anti-Bible views, however you want to put it, if in
21 that --

22 A In general, some people would be violent for no reason at
23 all, but I guess it's a matter of how much on the scale of
24 violence they're going to act. And I think that, you know,
25 I've never really seen or heard of near, if any, as many

EGELER ([REDACTED] , 9/15/10)

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1 cases as people who are proabortion becoming violent over
2 their right as much as the -- a lot of the public expression
3 of prohomosexuals.

4 Q Let's talk about that expression, and I understand you've
5 experienced what you believed to be hostility, harassment,
6 or threats as a result of your connection to Referendum 71.
7 Is that correct?

8 A Yes.

9 Q Can you tell me about that, please?

10 A I personally -- because in the big picture of all this, I'm
11 really just a nobody and my name wasn't really out there
12 very much. The fact I'm on this is only because I signed as
13 John Doe just because I guess -- yeah. But -- so I wasn't
14 on TV. I wasn't in the paper.

15 You know, people that I would talk to, some people
16 would get very angry standing with the sign. Some people
17 that I know would stop and say things to me. My brother was
18 one person who sent me like a text message, you know, of
19 basically disgust. Even though he doesn't -- he isn't
20 prohomosexual, I think it was more his anger that I would
21 stand out on the street corner and advocate my beliefs, so I
22 guess that's it.

23 Q Well, let's talk about those incidents. First, you said
24 that you were -- some people were angry when you were
25 holding a sign. Can you tell me about that?

EGELER ([REDACTED] , 9/15/10)

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1 A Well, yeah, sure. Some people would flip you off. Some
2 people would cuss at you. Some people basically public
3 indecency of dropping their pants and mooning you or
4 whatever as they drove by, so that would be the extent of
5 that. Nobody stopped and, I guess, got out of their car and
6 came to me personally.

7 Q So we're talking about the intersection that you were
8 standing at on the bridge, correct?

9 A Um-hmm -- yes.

10 Q And so let's start. First, you said that there were people
11 who were flipping off the people holding the signs, correct?

12 A Yes.

13 Q You personally saw that?

14 A Yes.

15 Q Did any of the people that were flipping people off make
16 statements about Referendum 71 or were they driving by and
17 didn't make a statement?

18 A Some of them made statements, but I can't remember what they
19 would have been.

20 Q You don't remember any of the statements?

21 A I remember people yelling things, but I don't remember what
22 they said. Like, if you were to ask me what exactly they
23 said, I don't remember. I do know that it was verbal
24 attacks against us, but it wasn't -- I couldn't tell you
25 exactly --

EGELER ([REDACTED] , 9/15/10)

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1 Q So --

2 A -- word for word is what I mean.

3 Q -- were the verbal statements all verbal attacks as opposed
4 to any sort of dialogue or sharing of their viewpoint about
5 Referendum 71?

6 A Yes, I would say so. If I'm standing and holding a sign
7 that would say to reject the senate bill and somebody
8 flipped me off and told me that I was a loser, I don't think
9 it's because of the clothes I was wearing. I would think it
10 would be more because of the sign I was holding and what the
11 sign said, not because I was holding up a sign.

12 Q So no one specifically said, I'm angry that you're promoting
13 Referendum 71?

14 A Most people weren't talking like that nicely. I think
15 that's what they were saying, yes, but I don't think they
16 said, hey, I just wanted you to know I don't support this
17 kindly. Most of -- I would say most all negative response
18 was fairly aggressive.

19 Q Is it fair to say that no one said -- let me rephrase that.
20 Of those who were flipping you off or cussing, is it fair to
21 say that none of them made a clear statement about
22 Referendum 71? It's more a situation where you felt their
23 opinion by their profane behavior?

24 A No. I believe it was very clear. I mean, you can get down
25 for I guess -- I mean, how clear does it need to be, you

EGELER ([REDACTED] , 9/15/10)

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1 know? Yeah. Nobody stepped out and raised their right hand
2 and solemnly swore that they were against what we were doing
3 in that sense, no. But, you know, so in the sense -- yeah,
4 I guess. Based upon my social ability to understand
5 people's communication, yes, people were definitely stating
6 their disagreement with this.

7 Q And you said that there was a mooning incident. Did you
8 personally witness this?

9 A Yes.

10 Q Okay.

11 A Maybe two, but at least one. It seems like I might remember
12 a second.

13 Q Let's start with what you actually remember for sure and
14 what did you see, other than --

15 A Someone's butt in the car driving by. It was white.

16 Q Do you remember if the individual was in the back seat or
17 the front seat?

18 A Passenger front seat.

19 Q Passenger front.

20 Do you remember or were you even able to tell the
21 approximate age of the individual?

22 A No. Probably wasn't somebody that was very old, based upon
23 the fact that they had to be able to get up and . . .

24 Q And have you ever been mooned before in your lifetime? Is
25 that your first experience with that?

EGELER ([REDACTED] , 9/15/10)

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1 MR. PIDGEON: I'm going to object as to form.

2 Is there a relevance to that question?

3 Q (By Ms. Egeler) You can go ahead and answer.

4 A I'm just trying to remember. Not that I can remember
5 exactly, no.

6 Q [REDACTED], have you ever flipped someone off before?

7 A Yes.

8 Q And after you did it, did you physically assault them?

9 A I'm sure it's happened, yes.

10 Q Can you roughly estimate how many times in your life you
11 flipped someone off or is that just too broad for a guess?

12 A It's too broad, yes.

13 Q Do you think you flipped someone off in the past 30 days?

14 A No.

15 Q Do you think you flipped someone off in the past year?

16 A No. It's probably been more like at least the last six
17 years, six and a half years.

18 Q And every time you flipped someone off, have you physically
19 accosted that person as well?

20 A No.

21 Q Have you usually not physically accosted them?

22 A If you can -- would you describe flipping somebody off as a
23 verbal attack or would you express that as a physical?

24 Q I'm wondering --

25 A Do you mean physically touching and harming their body?

EGELER ([REDACTED] , 9/15/10)

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1 Q Yes. I mean physically touching and harming their body.

2 A No, not every time.

3 Q But you have physically assaulted people before in your
4 past?

5 A Yes.

6 Q Can you tell me about that?

7 A Yeah. When I was a teenager, you know, a little kid and
8 basically just being a jerk as a teenager.

9 Q Have you ever sworn at people?

10 A Yes.

11 Q And have you done that in the past 30 days? Have you ever
12 said a cuss word in the past 30 days at someone?

13 A No.

14 Q In the past year?

15 A No.

16 Q Is that more teenage behavior as well?

17 A No. I believe it's just the fact that six and a half years
18 ago I became a Christian and that -- I mean, that's when I
19 quit, when my life changed.

20 Q In that six and a half years that you've been a Christian,
21 you've never sworn at someone?

22 A Probably not, no.

23 Q So prior to that six and a half years, you had, in your
24 lifetime, sworn at people?

25 A Yes.

EGELER ([REDACTED] , 9/15/10)

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1 A Threatening.

2 Q -- or threats?

3 A No. You have to understand, though, that most of where I
4 gathered signatures was at Creation Fest, which was a
5 Christian event, so even though not everybody agreed, you
6 know, most of the people weren't likely to be as physically
7 aggressive, you know, so -- or hopefully not, none that I
8 experienced.

9 Q One of the places you gathered signatures was at Lake
10 Sacagawea Park on the 4th of July, correct?

11 A Yes.

12 Q You said there were approximately 30,000 people there that
13 day.

14 A That go through during the whole weekend, so that day there
15 was probably 10,000.

16 Q And of that 10,000, were they all Christians who agree with
17 your view of the Bible?

18 A No.

19 Q Do all Christians agree with your view of the Bible with
20 regard to homosexuality and same sex marriage?

21 A Yes.

22 Q Are you aware of people who consider themselves Christian,
23 even if you don't consider them Christian --

24 A Yes.

25 Q -- who have a different viewpoint than you do with respect

EGELER ([REDACTED], 9/15/10)

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1 to homosexuality?

2 A Yes.

3 Q Could any of those individuals have been at Creation Fest?

4 A Yes.

5 Q And do you know what percentage of people at Creation Fest
6 share your view of Christianity?

7 A No.

8 Q So would it be fair to say that there could be people at
9 Creation Fest that you spoke to that had a different
10 viewpoint with regard to homosexuality?

11 A Yes.

12 Q And same sex marriage?

13 A Yes.

14 Q [REDACTED], is your address listed in the phone book?

15 A No. Actually, I don't know. Never looked. I don't have --
16 I guess I do have a home phone. It's not hooked up, so I
17 don't know. You could look.

18 Q Do you ever disclose your home address publicly?

19 A Yes.

20 Q Where do you do that?

21 A It's on my Web page.

22 Q Who can access your Web page?

23 A Anybody.

24 Q The date that you went to the bridge and you were holding a
25 Referendum 71 sign, did you go after that date to Lake

EGELER ([REDACTED] , 9/15/10)

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1 Sacagawea and gather signatures? Which came first in time?

2 A I don't remember. I don't remember exactly. I think I
3 know, but I'm not positive.

4 Q After you experienced the incidents that you believed were
5 harassing on the bridge, did you stop all public involvement
6 with Referendum 71?

7 A No.

8 Q Why not?

9 A I just decided that I guess I wasn't going to be pushed
10 around by it. So, I mean, I do have the right to believe
11 something, and at that point, it was certainly becoming very
12 aware to me how standing for something in politics is
13 extremely -- it's almost like starting a war, so I realized
14 that, but, I mean, what's the point of living if I'm not
15 going to do anything in my life?

16 Q After experiencing the actions that you saw on the bridge,
17 the harassment, did you feel that you were putting your wife
18 or child in jeopardy by continuing public involvement with
19 Referendum 71?

20 A Partly yes because of the bridge, mostly so because of other
21 circumstances that I was hearing about and things like from
22 the Internet or from TV and stuff like that I guess is more
23 of what it was.

24 Seeing how people reacted around us in our town, which
25 is a very small town, and not near so -- there's probably

EGELER ([REDACTED] , 9/15/10)

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1 not as many aggressive pro-gay supporters here as there is
2 in, say, like Seattle. And knowing that if I'm seeing as
3 much as I was here in our town, knowing that people could be
4 apt to see my name and information online or, you know, that
5 type of stuff and knowing that those more aggressive people
6 were doing more aggressive acts towards other people, then
7 I -- that's really where more of my concern was, I guess.

8 Q But you didn't feel the need to protect your wife and child?

9 A Yes. I did feel the need to protect my wife and child, yes.

10 Q But your desire to remain involved with Referendum 71 was of
11 greater importance to you?

12 A Yes. I believe that if -- I mean, I guess I can't say this
13 in every circumstance, but in this circumstance especially,
14 like I said, what's the point of me living if I have no
15 purpose in this life and am I going -- what I'm teaching my
16 wife or teaching my child at this point, although my child
17 was only two years old, I believe, at this point, by just
18 permitting the more aggressive people to push me into the
19 place that they want me to be because they're more
20 aggressive, then, I mean -- you know what I'm saying? It's
21 like then who am I going to run to my whole life if I can't
22 stand up for especially something I have every legal right
23 to believe and to protest or gather signatures for legally,
24 you know.

25 So if I can't exercise my legal rights in America, I

EGELER ([REDACTED] , 9/15/10)

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1 want to be able to show that to my wife and daughter. And
2 because, you know, if you'll think about it, our campaign
3 was to protect children, you know, by doing this. I didn't
4 want, you know -- I believe that a child needs a mother and
5 a father. And if, say, my wife and I were in a car accident
6 and my child got put up for adoption, I didn't want my child
7 to be adopted by a homosexual family. I don't want her also
8 to be adopted by a normal family that's going to abuse her
9 or anything like that, but I want my child to have a mother
10 and father, if at all possible. And seeing especially the
11 larger picture of -- or a large picture of the homosexual --
12 what I considered a homosexual agenda, I don't want my child
13 exposed to those things.

14 I have a picture on my computer at home. I still have
15 it, and I probably should delete it, but it's just a
16 photograph from the Seattle gay pride parade, and there's a
17 middle aged man in a leather thong exposing himself to
18 probably a six year old and an eight year old and a father
19 sitting there with his children. And if I did that, I would
20 go to prison for years, and I don't want those things. I
21 want it to be -- I don't want my child around any of that.

22 Q Is it fair to say that you in Longview here did not feel
23 that you were at physical risk of harm?

24 A No. That's not true.

25 Q So you felt that you were at risk of physical harm?

EGELER ([REDACTED] , 9/15/10)

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1 A Some. Not as much as probably I would have felt or I could
2 have felt in other situations, but yes, I was aware that
3 could reach me, certainly.

4 Q What made you think that?

5 A Seeing people's reactions and understanding that some people
6 were, you know, becoming more violent and saying more
7 violent and aggressive things in the media, that was making
8 the media and things like that.

9 Q Did you see any violence yourself?

10 A No.

11 Q Are you aware of any violence surrounding Referendum 71 in
12 the Longview-Kelso area?

13 A No.

14 Q The election's now over and the issue has been concluded.
15 Do you still feel there's a risk to you?

16 A Not as much.

17 Q What risk do you think there is now?

18 A I don't know. I mean, especially there's -- I mean, I saw
19 things online with, you know, one -- I think one was a big
20 case of people saying that they're going to kill people if
21 anybody tries to stop their rights for basically gay
22 marriage.

23 Q Where did you see this online?

24 A I believe that made the paper or something, didn't it? This
25 was one -- I remember -- I don't have the Web address, but I

EGELER ([REDACTED] , 9/15/10)

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1 remember seeing it online.

2 Q When did you see it?

3 A During the case, probably last summer.

4 Q Summer of 2009?

5 A 2009, yeah.

6 Q Have you seen anything talking about violence or killing
7 people since the election's concluded?

8 A No.

9 Q So what's the source of your fear now?

10 A Like I said, I haven't really looked online to see. If,
11 say, the names are released, you know, there could be people
12 that, you know, are just waiting for that to happen.

13 Q But your name's already out there, isn't it?

14 A Yes. Part of the reason that I was willing to do this as a
15 John Doe wasn't just because of my name, but because of
16 other people. Some people may not be willing to risk what
17 I'm willing to risk, so . . .

18 Q But to understand you, you are willing to take that risk by
19 being public about your position?

20 A Yes.

21 Q Have you experienced any other threats or harassments or
22 reprisals that we haven't talked about?

23 A No.

24 Q Did you participate at all in going to the Secretary of
25 State's office and overseeing the checking of the petition

EGELER ([REDACTED], 9/15/10)

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1 signatures?

2 A Yes.

3 Q And how many times did you do that?

4 A Once.

5 Q Did you go with [REDACTED] to do that?

6 A No. I drove myself.

7 Q Did you sign in when you got there?

8 A Yeah. I think you had to, yes.

9 Q Were you aware that there were individuals there that had a
10 contrary position that did not want Referendum 71 to make
11 the ballot that were there as well?

12 A Yes.

13 Q Did you know which individuals in the room would fall into
14 that category?

15 A No. Well, I guess by the end of the day, yes. When I first
16 walked in, I couldn't -- I didn't know when I got there, but
17 by the end of the day, it was pretty clear.

18 Q Approximately how many of those people were there?

19 A During the day while I was there, I would say around four,
20 maybe five people.

21 Q Did you feel threatened by them?

22 A There? No. Those people, no.

23 Q Did you feel they might come after you later?

24 A No.

25 Q Did you think the Secretary of State's process of verifying

C E R T I F I C A T E

I, REBECCA S. LINDAUER, a duly authorized Notary Public in and for the State of Washington, residing at Lacey, do hereby certify:

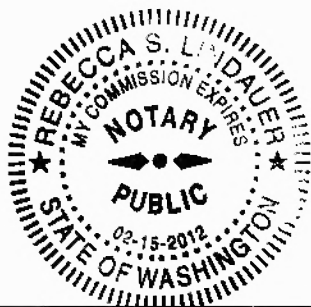
That the foregoing deposition of [REDACTED] was taken before me and completed on the 18th day of September, 2010, and thereafter transcribed by me by means of computer-aided transcription; that the deposition is a full, true, and complete transcript of the testimony of said witness;

That the witness, before examination, was by me duly sworn to testify the truth, the whole truth, and nothing but the truth, and that the witness reserved signature;

That I am not a relative, employee, attorney, or counsel of any party to this action or relative or employee of any such attorney or counsel, and I am not financially interested in the said action or the outcome thereof;

That I am herewith securely sealing the deposition of [REDACTED] and promptly mailing the same to MS. ANNE E. EGELER.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal of this 19th day of September, 2010.



Rebecca S. Lindauer, CSR#2402
Notary Public in and for the State of
Washington, residing at Lacey.

Exhibit 1-11

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JOHN DOE #1, an individual; JOHN
DOE #2, an individual; and PROTECT
MARRIAGE WASHINGTON,

Plaintiffs,

v.

SAM REED, in his official capacity
as Secretary of State of Washington;
BRENDA GALARZA, in her official
capacity as Public Records Officer
for the Secretary of State of
Washington,

Defendants.

No. 09-CV-05456-BHS

Deposition Upon Oral Examination
Of
LAWRENCE P. STICKNEY

Taken by: Tracey L. Juran, CCR
CCR No. 2699

September 22, 2010

Everett, Washington

Tracey Juran, Certified Court Reporter

1 Be it remembered that the deposition upon oral
2 examination of Lawrence P. Stickney was taken on
3 September 22, 2010, at the hour of 8:59 a.m. at 3501
4 Colby Avenue, Suite 200, Everett, Washington, before
5 Tracey L. Juran, CCR, Notary Public in and for the State
6 of Washington residing at Edmonds, Washington.

7 Whereupon the following proceedings were had,
8 to wit:

9 * * * * *

10 LAWRENCE P. STICKNEY, having been first duly sworn on
11 oath by the Notary Public to tell
12 the truth, the whole truth, and
13 nothing but the truth, was deposed
14 and testified as follows:

14 EXAMINATION

15 BY MS. EGELER:

16 Q. Good morning, Mr. --

17 A. Good morning.

18 Q. -- Stickney. Have you ever been deposed before?

19 A. Years ago, I had an industrial-insurance claim and I --

20 Q. Well, since --

21 A. I don't know if that was deposed or not, but it was a
22 discussion on the record. It was --

23 Q. Well, since it sounds like it's been a while, I'll go
24 over the ground rules again.

25 A. Okay.

1 Q. Obviously, I'm asking questions and you're answering and
2 our court reporter is trying to write everything down.

3 A. Mm-hm.

4 Q. And, of course, both of us want to make sure that that
5 is accurate.

6 A. Mm-hm.

7 Q. So to help our court reporter, it's important that we
8 not speak over each other and that, whenever I ask a
9 question, that you respond with yes or no instead of
10 mm-hms or head nods, because that won't show up cleanly
11 in the --

12 A. Okay.

13 Q. -- in the record. Okay?

14 A. Okay.

15 Q. It's also important that my questions make sense to you.
16 So if there's anything that confuses you for any reason,
17 please ask me to stop and to rephrase it, whatever --

18 A. Okay.

19 Q. -- whatever's necessary.

20 A. Sure.

21 Q. And then at the end, if you want to review it for
22 accuracy, the transcript that our reporter's prepared,
23 you'll have an opportunity to do that as well if you and
24 counsel choose to do that. Okay?

25 A. Okay.

1 Q. Let's start by talking about your employment. What do
2 you currently do for employment?

3 A. Well, currently I am the campaign manager for the John
4 Koster for Congress campaign.

5 Q. And is that a full-time position?

6 A. Yes.

7 Q. So no other employment --

8 A. No.

9 Q. -- currently.

10 And what was your employment during 2009?

11 A. Well, we -- and I say we. My wife and I directed the
12 Washington Values Alliance as well as the -- we -- I was
13 the campaign manager for Protect Marriage Washington.

14 Q. And that was for all of 2009?

15 A. Yes.

16 Q. Did you have any other employment during 2009?

17 A. For a brief time, I -- early in John Koster's campaign
18 for county council, yes. I was a paid consultant for
19 the first quarter and then, with the workload of the
20 Protect Marriage Washington and the Values Alliance, I
21 had to give that to somebody else to do.

22 Q. So you worked on that campaign for the candidate during
23 the first quarter of 2009 --

24 A. Right.

25 Q. -- but not for the remaining --

1 A. No.

2 Q. -- three quarters.

3 A. No, no, exactly.

4 Q. Let's talk about your work with Washington Values
5 Alliance.

6 A. Mm-hm.

7 Q. Are you a director or president of that organization?

8 A. I am the president.

9 Q. The president, okay.

10 Did you found the organization?

11 A. Yes. My wife and I founded the organization.

12 Q. And what does the organization do?

13 A. Well, it's a political action -- it's not a political-
14 action committee, but it's an organization that
15 represents values of Washington voters. And we stand
16 for right to life, marriage, and limited government, is
17 our focus.

18 Q. Is it registered with the Public Disclosure Commission
19 as a political committee?

20 A. It is not. It is not.

21 Q. So does it accept donations?

22 A. It accepts donations, yes. It's a nonprofit.

23 Q. So you talked about three issues that the group deals
24 with: Right to life, marriage issues --

25 A. Mm-hm.

1 Q. -- and limited government. Are there any other issues?

2 A. Well, it would -- that would be our mission statement.

3 But we would cover areas, maybe, that you would say in
4 between those two.

5 Q. Such as?

6 A. Well, we would, you know, lobby Olympia on areas, maybe,
7 where you would have pornography issues. We -- we're
8 involved in taking a look at some of the magazines made
9 available to minors and we're interested in defending
10 minors from pornography, things like that. And so we
11 had some involvement in a bill a couple years ago but
12 didn't have time to address everything. So things like
13 that.

14 Q. With respect to right to life --

15 A. Mm-hm.

16 Q. -- has the group been involved in any specific
17 legislation?

18 A. Well, we've promoted and -- the issues of life and
19 continue to be a public voice for right to life and have
20 been quite vocal.

21 Q. And in saying that you've been quite vocal -- and by
22 you --

23 A. Mm-hm.

24 Q. -- I mean the group --

25 A. Yeah.

1 A. Yeah.

2 Q. -- threats or harassment, and the first --

3 A. Sure.

4 Q. -- thing that you listed was the Emails. Are there --

5 A. Yeah.

6 Q. -- any that stand out to you?

7 A. Yes. Of course, the -- and mind you that a lot of -- we
8 began to collect these, you know, in time after it
9 started to bother us. And I blew off a lotta calls and
10 a lot of harassment and I began a file for the more --
11 you know, for the harassing and the hate mail we began
12 receiving. But right out of the blocks, we had the --
13 this Bisceglia character.

14 A Bellingham blogger had -- was posting on a number
15 of the homosexual blogs, include -- or he had his own
16 blog, but he had links showing up on some of the larger
17 blogs even around the country, and it was generating a
18 lot of Email to us. And he was actually calling for,
19 you know, it looked like, you know, to me -- I rated as
20 harm to my family and destruction of property, you know,
21 and saying things like, if Larry Stickney, and by name,
22 is going to harm my family, why shouldn't we go down to
23 Arlington and harm his.

24 And so we began to feel very vulnerable and --

25 Q. Do you remember the name of that Web site?

1 A. Well, it's in the -- this -- the -- all the submittals.

2 So --

3 Q. And by the submittals, you were just -- just to make
4 sure it's --

5 A. Yeah.

6 Q. -- clear on the record, you were pointing at what you
7 produced today in response --

8 A. Yes, it's in there.

9 Q. -- to the subpoena.

10 A. It's all in there, absolutely. And the name of his Web
11 site is in there. And it was quite a -- it's on the
12 record on -- even in newspapers, things like that,
13 because we decided we needed to talk about that a little
14 bit.

15 So it was very upsetting to us and for the first
16 time in this thing, I began to feel there's some people
17 out there that really don't like me and would even be
18 putting this -- these -- this kind of chatter out on the
19 Internet. And when you start seeing it on blogs around
20 the country -- and I make -- that's -- some of those Web
21 sites were clearly delineated in what we've turned in.
22 And it put a chill on our lives right out of the
23 block --

24 Q. Can I --

25 A. -- and kind of a cloud over our whole house. And it was

1 very frightening. And then within, maybe, a few weeks,
2 then, you had The Stranger post a front-page article
3 with my picture on it. And I was in -- with four other
4 conservative leaders, [REDACTED], [REDACTED], myself,
5 and [REDACTED]. And it -- the title of -- and all over
6 Seattle -- and mind you, I had a daughter at Seattle
7 University -- it said, know thy enemy. And the blogs
8 were on fire.

9 Q. Can I --

10 A. Yeah.

11 Q. -- stop you for a moment --

12 A. Yeah.

13 Q. -- and let's --

14 A. Mm-hm.

15 Q. -- explore this Bellingham blog --

16 A. Yeah.

17 Q. -- a little bit.

18 A. Yeah, yeah.

19 [Off the record - discussion]

20 Q. (by Ms. Egeler) The Bellingham blog --

21 A. Mm-hm, yes.

22 Q. -- we had testimony in a deposition last week about a
23 blog -- my memory is that it was Bellingham -- listing
24 the names of Referendum 71 supporters from the Longview,
25 Kelso area. Does that ring a bell for you at all?

1 Could that have been the Bellingham blog?

2 A. Possibly.

3 Q. Do you remember a blog listing anything about people
4 supporting --

5 A. In Longview and Kelso?

6 Q. Let me finish the question.

7 A. Yeah.

8 Q. -- yes, listing names of individuals in Longview or
9 Kelso who supported Referendum 71?

10 A. This thing was impossible to keep complete tabs on. If
11 you were to go and run Referendum 71 on Google search,
12 and you've probably all done that, there's going to be
13 thousands of documents and numerous Web sites from A to
14 Z across the country.

15 Q. So does that mean you don't remember this blog listing
16 anybody from Longview?

17 A. I'm not sure. I don't recall.

18 Q. I understand.

19 A. Yeah.

20 Q. So I took us back to the Bellingham blog, but you were
21 just adding that The Stranger had a headline --

22 A. Yeah.

23 Q. -- know thy enemy; is that correct?

24 A. Correct. So there was an atmosphere and a chill in the
25 air. And we put together a little package of the Emails

1 and Web-site links and submitted them to Sheriff Lovick
2 here in Snohomish County. And I copied my submittal to
3 Sheriff Lovick to Kirk -- State Representative Kirk
4 Pearson, County Councilman John Koster, State
5 Senator Dan -- or Val Stevens, and State
6 Representative Pearson -- or Kristiansen. So I
7 submitted it to the legislative -- my legislators
8 directed to Sheriff Lovick.

9 Q. And is -- Sheriff Lovick, he's with Snohomish County?

10 A. Snohomish County Sheriff.

11 Q. And is that L-O-V-I-C-K?

12 A. Correct.

13 Q. Did Sheriff Lovick respond?

14 A. He responded by referring it to Whatcom County.

15 Q. What county is Arlington, your home city, in?

16 A. Snohomish County.

17 Q. And would he have referred it to Whatcom because that's
18 where Bellingham's located?

19 A. Yes.

20 Q. Why did you direct this to Sheriff Lovick instead of the
21 sheriff's office generally?

22 A. Well, because he's the sheriff. Wouldn't that be the
23 normal direction?

24 Q. So he's the head of the --

25 A. Yes.

1 Q. -- sheriff's office.

2 A. Yes, yes.

3 Q. That would be normal.

4 A. Okay.

5 Q. In addition to the Bellingham blog site and the headline
6 in The Stranger, anything else?

7 A. Well, there were references to -- you know, at various
8 times -- now, let's just clarify a couple things here.
9 We had -- we -- I'm in the middle of -- prior -- okay.

10 We submit the referendum May -- in May. And May 5,
11 we become overnight notorious celebrities to a lot of
12 people in the area. We had 49 days to gather
13 signatures. So I'm in a full-blown frenzy to get out
14 and perhaps gather signatures faster than anyone has
15 ever gathered that many signatures other than probably
16 a -- there's -- that's just possible. I can't give you
17 the historical data on that. But it was very short
18 time, very short time.

19 And I'm finding myself fielding calls, media calls,
20 harassing Emails, and coming under this kind of
21 intensity. And you have a large number of papers that
22 have been submitted with a large number of Emails,
23 including some that said things like, you'd better stay
24 off the Olympic Peninsula, Larry Stickney, or a call
25 would come in, I wanna fight you. I wanna fight you

1 right now.

2 And mind you, I have children at home of -- young
3 children as well as at the time I had my two boys at
4 home and a daughter that was -- that's -- was 17 at the
5 time. And --

6 [Cell phone ringing]

7 THE WITNESS: There's one of 'em now. See if I can
8 get that shut off here.

9 A. And all of a sudden, I'm having to spend a lotta time
10 away from home with these Emails and calls coming in.
11 And they were coming in through every crack in the
12 house, the calls and the Emails. They had gotten our
13 home phone numbers and we were in the phone book. Our
14 address was posted and my phone number was out there.

15 And it was sometime in May that I -- one of my
16 young daughters came running into the house, Daddy,
17 there's a man in our front yard taking pictures. And I
18 had determined that was sometime after June 2nd. And I
19 charged out into the yard after [REDACTED] found me and I
20 made it outside just in time to see the car disappearing
21 down the hill. And I hopped in my car and tried to get
22 down there and get identification, but there's a number
23 of side streets. The car disappeared.

24 Now, our fear was that -- we know it had been the
25 tactic of some of these groups to post on-line even

1 photos of a home -- your home, so --

2 Q. (by Ms. Egeler) Can I ask --

3 A. Yeah.

4 Q. -- you a question about --

5 A. Yeah.

6 Q. -- that --

7 A. Mm-hm.

8 Q. -- man in the yard.

9 A. Yeah.

10 Q. Do you remember what he looked like?

11 A. Oh, I didn't see him, but my daughter did.

12 Q. So you did not see him.

13 A. No, I did not see him.

14 Q. How old was your daughter --

15 A. Eight.

16 Q. -- at the time?

17 A. Yeah, 8.

18 Q. And your daughter saw him taking pictures.

19 A. Yeah, mm-hm.

20 Q. When you came into the yard and chased him in his car --

21 A. Yeah. Yes.

22 Q. -- did he say anything?

23 A. I didn't -- when I came into my yard, he was a quarter
24 mile heading down the hill in his car by then. I was in
25 the back 40 when my daughter found me.

1 Q. Did your daughter hear him say anything?

2 A. No, not that I recall.

3 Q. And when you got into the car to follow him --

4 A. Yeah.

5 Q. -- how close were you able to get?

6 A. With -- the layout of my -- I live on a long, lonely
7 country-road straightaway and it heads down a hill. And
8 he was rounding the corner a quarter mile away. So I
9 drove down that way to see if I could find somebody,
10 maybe, up at the stop sign that's a couple miles out.
11 And -- but there's a number of side streets they could
12 have turned down, you know. I didn't find the car.

13 Q. Did you call the police and tell them about this?

14 A. I'm not sure we reported that. I don't recall. I don't
15 recall. From the response I was getting out of the
16 sheriff's office, I hadn't -- I was -- I -- yeah.
17 Anyway, I --

18 Q. So we had this incident. And did your daughter -- how
19 did you know this was related to Referendum 71?

20 A. Well, I can't make, you know, a positive lock-tight
21 argument there, but I assumed that it likely was. There
22 was a lot of funny things going on, and it seemed to be
23 in character with what was being called for and some of
24 the other things that were happening and the history of
25 the magazine, The Stranger.

1 Q. But do you know --

2 A. Yeah.

3 Q. -- if this individual might have been a burglar?

4 A. I -- yeah, I said I don't have a lock-tight proof that
5 this person was R-71 related. We suspected he was.

6 Q. So next -- let's move on to the --

7 A. Yeah.

8 Q. -- next incident.

9 A. Yeah.

10 Q. I think we've --

11 A. Yeah.

12 Q. -- exhausted --

13 A. Yeah.

14 Q. -- that.

15 A. Yeah. Let me just tell you that it was at this point
16 that -- and again, I wanna go back to -- the atmosphere
17 of fear at our home could be cut with a knife. And when
18 you go from nice little family raising their kids out in
19 the country to all of a sudden -- and there were some
20 things I didn't wanna even go public with at the time
21 and I hesitate to now.

22 Q. Can we --

23 A. Let me just --

24 Q. -- focus on the question, though.

25 A. Well, I wanna --

1 Q. I under --

2 A. I want you to understand what we were dealing with, and
3 that is that I had to move my children into the living
4 room.

5 Q. Well, let's talk about --

6 A. Yeah.

7 Q. -- that incident.

8 A. Yeah, okay.

9 Q. And that's --

10 A. All right.

11 Q. -- contained in your declaration --

12 A. Sure, sure, yeah.

13 Q. -- as well. And --

14 A. Yeah, mm-hm.

15 Q. And I believe, and --

16 A. Yeah.

17 Q. -- correct me if --

18 A. Mm-hm.

19 Q. -- I'm wrong --

20 A. Mm-hm.

21 Q. -- but you certainly felt that that was a time you
22 experienced harassment or threats. So can you explain
23 that to me, what occurred then.

24 A. Well, it was after the photo opportunity that -- and in
25 that -- and mind you, this was a very, very busy time

1 for myself.

2 Q. How long after the photo incident?

3 A. We made a decision, I think, that day that we -- the
4 kids go into the living room. And I'm -- we were beside
5 ourselves as to what to do. And I almost packed the
6 family up and sent them off to Colville at that point
7 because I have some -- my in-laws there. But the kids
8 were all in school and my wife was my right arm. The
9 campaign would be over. We would have been heading for
10 the hills. Instead, we carried on, but under this
11 atmosphere of chill.

12 And, you know, I had my boys getting the guns
13 loaded because of -- and I -- you know, Dad, don't
14 worry, we'll take care of it. I'm going, yeah, okay,
15 sure. But, I mean, that -- it was that kind of a fear.
16 And we don't -- you know, I'm not a big gun guy, even,
17 or -- I'm just a regular guy. But all of a sudden we're
18 forced into these kind of -- this kind of thinking
19 and --

20 Q. You said that you had an 8-year-old daughter, [REDACTED].

21 A. Yeah.

22 Q. What were the ages of the other children? You don't
23 need to provide their names.

24 A. [REDACTED] is now 10 --

25 Q. So she was --

1 A. -- let's see; [REDACTED] was likely 7 at the time, [REDACTED] was
2 likely 5, my daughter [REDACTED] was 17 or so. She's 19 and
3 a half now. Let's see -- 18 -- I think she was -- no,
4 she was of voting age, so she was over 18. [REDACTED] is --
5 just turned 21.

6 Q. So would have been 20 at the time?

7 A. Yeah, 20.

8 [REDACTED] --

9 [Cell phone ringing]

10 THE WITNESS: I thought I had that all shut off. I
11 think I got it now. Okay, ringer volume off. Okay.

12 A. So there was a fear and intimidation that I've never
13 felt before in my life, you know, yeah.

14 Q. (by Ms. Egeler) So just to make sure that we're
15 clear --

16 A. Yeah, yeah.

17 Q. -- you had the kids sleeping in the living room --

18 A. No.

19 Q. -- for safety?

20 A. Okay. Yeah, that was the whole thing. And to this day,
21 I hesitate to even talk about it, because I don't -- I
22 didn't even tell the -- you know, I mentioned this in
23 court eventually. But I developed a very deep fear of
24 the vulnerability of my family in this campaign at that
25 moment.

1 And we live on a rural-road straightaway where I've
2 had kids go past my house at a hundred miles an hour.
3 And it's a ways out -- it's three miles outta Arlington.
4 It's very dark, five-acre parcels. And I hesitated to
5 even talk to the press about my fear, but my true -- my
6 fear was that I was gonna get a firebomb or a Molotov
7 cocktail through the kids' window, because they were so
8 close to the road.

9 Q. Did anyone tell you they were going to do that?

10 A. No, nobody told me that. But that became my overriding
11 fear. And that's why I moved 'em into the -- you know,
12 and I -- to this day, I don't like talking about that
13 for fear of giving somebody an idea to tell them I would
14 be vulnerable to that. And so frankly, I haven't talked
15 about -- and I didn't talk about it then.

16 And there was even an opportunity to post a
17 harassment hot line on our Web site, but I wasn't -- I
18 was hoping to get through this part of this thing. I
19 wasn't looking for a court case against these folks. I
20 wanted to run a political campaign.

21 Q. Looking at --

22 A. Yeah.

23 Q. -- your state of mind at --

24 A. Yeah.

25 Q. -- that time, just to make sure I understand --

1 A. Yeah.

2 Q. -- at the point where you felt --

3 A. Yeah.

4 Q. -- so uncomfortable --

5 A. Very fearful, yeah.

6 Q. -- fearful --

7 A. Yeah, yeah.

8 Q. -- that you put the kids --

9 A. Yeah.

10 Q. -- into a --

11 A. Mm-hm.

12 Q. -- different area to sleep --

13 A. Mm-hm.

14 Q. -- you had experienced an individual in your yard taking
15 pictures for unclear reasons, certainly not there at
16 your invitation --

17 A. Mm-hm.

18 Q. -- correct?

19 A. Mm-hm. Correct. And --

20 Q. And you had experienced seeing angry words on blog Web
21 sites and newspaper articles; correct?

22 A. Telephone calls.

23 Q. And telephone calls.

24 And also the Emails, some of them, that you --

25 A. Yeah.

1 Q. -- provided would have related to that time --

2 A. Right.

3 Q. -- period as --

4 A. Exactly, yeah.

5 Q. -- well; correct?

6 A. Correct.

7 Q. Was I complete in that list? Was there anything else
8 that led to your fear at that point that you had the
9 children move to a different area to sleep?

10 A. No. That was -- well, the -- that was generally the --
11 we were at the point there it was -- the incident with
12 the person in the yard, I said, get the kids outta the
13 bedroom.

14 Q. Right.

15 A. They know where we live. They may even post it. So --

16 Q. Do you know if your -- if a picture of your home was
17 ever posted?

18 A. I never saw it, and I was glad for that.

19 I -- there was a Seattle Times article that came
20 out -- I believe it was June 2nd or so, right in that
21 time frame. I'd moved the kids in about mid-May. But
22 there was heavy criticism all of a sudden of the -- when
23 the Bisceglia stuff got in the paper. And there was a
24 very good Seattle Times article and a lot of the
25 homosexual community began to -- I -- there was some

1 any official condemnation of it other than there seemed
2 to be a change in some of the banter on the blogs and --
3 you know, you idiot, you're giving them what they want,
4 and things like that. And -- but I could see and you
5 could feel the public opinion shifting towards some
6 sympathy. And then -- but -- and it was generated by a
7 thoughtful article in The Seattle Times that seemed to
8 get some attention and it was a little bit sympathetic
9 to our plight.

10 And so -- but mind you, this was -- everything was
11 going a million miles an hour. I'm in a -- 49 days to
12 get a signature drive here. And so all these things
13 were happening: Phone calls, Emails, threats coming in.
14 And all of a sudden, well, we'd better start a file on
15 some of this stuff and we'd better follow up with the
16 sheriff and do we want to file a restraining order? I
17 mean, I don't have time to do that. I'll lose the
18 campaign if I spend two days and cry. Just -- it was
19 just nuts.

20 And then the kids. What do I do about the kids?

21 Q. (by Ms. Egeler) So --

22 A. So we took the actions that we could.

23 Q. Do you recall roughly --

24 A. Yeah.

25 Q. -- when this change in the banter occurred?

1 A. There was -- like I said, there seemed to be a little
2 let off after that Seattle Times article, and I believe
3 that was in early June. And it was like, you know --
4 but, you know, the blogs were on fire. I mean, I run a
5 congressional campaign. You get 13 comments posted when
6 there's an article about a congressman. There was seven
7 or eight hundred comments following these articles every
8 time there would be some news on the campaign. And they
9 were absolutely on fire.

10 Q. Let's go back to the incident with the individual --

11 A. Yeah.

12 Q. -- in the yard. You said you don't remember whether or
13 not you contacted the police or sheriff; is that
14 correct?

15 A. I don't recall whether we contacted 'em.

16 And like you, I said, well, you know, they'll -- do
17 you have positive ID? No. I mean, I've been around
18 enough to know that, you know, you've gotta have a
19 little evidence to do anything about anything. And all
20 I had was an 8-year-old daughter who was terrified that
21 came in and told me that somebody -- a man had been in
22 our house with a camera. And that's good enough for me,
23 but that probably won't hold up to Sheriff Lovick, who
24 had written stuff from me and didn't do much about it
25 except shovel it off to Whatcom County.

1 Q. After that incident with the individual taking pictures
2 outside --

3 A. Yeah.

4 Q. -- your home --

5 A. Yeah.

6 Q. -- any more instances that you considered to be threats
7 or harassment?

8 A. Not around the house, anyway. I didn't experience much
9 around the house. But we didn't put a sign up in the
10 yard to tip anybody off to our -- give 'em any help
11 there. So --

12 Q. You mentioned that you had at least one --

13 A. Yeah.

14 Q. -- at least one individual say something to the effect
15 of better not come to the Olympic Peninsula?

16 A. Yeah. That's an Email and it's on the record, yeah.

17 Q. Did you -- anywhere that you went in the state --

18 A. Yeah.

19 Q. -- not just Olympic Peninsula, but while you were
20 working on Referendum 71, did you have any acts of
21 violence towards you?

22 A. I had -- you know, I tried to avoid going into places
23 where it might be generated. I mean, we were, you know,
24 aware it was a controversial issue. I avoided the most
25 hostile forums for those reasons, yeah.

1 Q. Did you have any instances of violence that occurred?

2 A. No. No, but I protected myself.

3 Q. Any more instances of harassment or threats during the
4 campaign?

5 A. Well, when the know-thy-enemy article -- or the know-
6 thy-enemy folks --

7 Q. That was with the Seattle Stranger?

8 A. That came in in around early -- no, that came in early
9 June, the announcement that know thy neighbor and
10 know -- or what was it? Not know thy enemy; excuse me.
11 When the group announced they were going to -- I'd have
12 to get the dates on that.

13 When the organizations announced they were going to
14 get the signatures and post 'em on-line, that was
15 another time of real anxiety for us because so many of
16 my people were -- that were helping us just decided they
17 couldn't be active in the campaign anymore. And so
18 there was another time. To me, that was intimidation
19 too. And that was, in my mind, etched in my mind as
20 another milestone when that announcement came out.

21 Q. Any other incidents?

22 A. There would be an uptick in the -- all I can say is, my
23 experience with this thing, it was like somebody
24 monitoring terrorist chatter. And every time there
25 would be an article generated and at any milestone --

1 and there were many of them, you know; an announcement
2 here, a big article here -- it would just -- it was an
3 ebb and flow of these Emails and calls. And for us,
4 even though we'd been involved in politics for a long
5 time, it was a new experience to be seen as, you know,
6 somebody that a lot of people like to see dead.

7 Q. So in early June --

8 A. Yeah.

9 Q. -- an organization -- I think my memory's the same as
10 yours. Know Thy Neighbor, I --

11 A. Yeah.

12 Q. -- think --

13 A. You know --

14 Q. -- is the group.

15 A. Know Thy Neighbor and whosigned.org. When they started
16 making racket about releasing the names, it caused us a
17 lot of anxiety and it --

18 Q. You said that you had people that could no longer work
19 on --

20 A. Well, they -- I couldn't generate funding and I
21 couldn't -- you know, when we were -- I was losing help
22 from people or people couldn't get involved that
23 normally would help with an effort for fear of having
24 their name posted on the Internet.

25 Q. Let's explore that a little --

1 A. Yeah.

2 Q. -- bit.

3 A. Yeah, sure.

4 Q. You said that people stopped donating to Protect
5 Marriage Washington --

6 A. Yeah, we had a very --

7 Q. -- is that right?

8 A. We had a very difficult time getting -- raising the
9 money we needed to fund the campaign, correct.

10 Q. And that was because people feared having their name
11 associated with Referendum 71?

12 A. Right. Yeah, I -- it was -- you know, I would make a
13 fundraising pitch and it would be, say -- but I have
14 to -- you know, and I guess that's a little off the
15 harassment issue. But they would say, well, I can't
16 have my name on it. I'd say, well, I have to give
17 your -- put your name on it if you donate to us.

18 Q. So --

19 A. Yeah. And with the entire -- the high-profile nature of
20 the campaign, people were scared to death to help us.

21 Q. Did you -- were you responsible for filing reports with
22 the Public Disclosure Commission with respect to
23 campaign donations?

24 A. Well, we -- as the campaign manager, I had to make sure
25 that that was happening. But I have -- I had a

1 treasurer that filed them all.

2 Q. And you made sure that those were all filed?

3 A. Absolutely, yeah.

4 Q. And did those disclosure forms state the name and
5 address of each person or group that donated more than
6 \$25?

7 A. Yes, yes.

8 Q. Do you know if those were listed on the Internet, on the
9 Public Disclosure Commission's Web --

10 A. Yes.

11 Q. -- site?

12 A. They were, yes.

13 Q. And by listed, I mean the amount contributed, the name
14 of the contributor, and their address.

15 A. Yes, yes.

16 Q. And that was occurring before June; correct?

17 A. You know, I don't recall the exact times and dates. But
18 there was a -- we actually at one point tried to see if
19 we could get an exemption on those. And I can't give
20 you the date, but --

21 Q. But the entire time that Protect Marriage Washington
22 existed and was accepting campaign contributions, it
23 complied --

24 A. Yeah.

25 Q. -- with the law?

1 A. It did comply with the law, correct, yeah.

2 Q. In respect to disclosing that information.

3 A. Yes, yes. We were right on and in close contact with
4 the PDC, so --

5 Q. And you mentioned that you tried to get some sort of
6 permission to not make that --

7 A. Yeah.

8 Q. -- disclosure.

9 A. Yeah. There was a -- we made a petition to the PDC and
10 asked that we get an exemption.

11 Q. And do you recall whether or not a hearing was held
12 with --

13 A. Yes.

14 Q. -- regard --

15 A. There was a hearing, yes.

16 Q. If you could wait till I finish my question --

17 A. Okay.

18 Q. -- first.

19 A. Yeah.

20 Q. Starting to slip on --

21 A. All right.

22 Q. -- each other again.

23 There was a hearing about that issue; correct?

24 A. Correct.

25 Q. And did you testify at that hearing?

1 A. I was there. And I -- did I -- I don't recall that I
2 spoke, but I likely did. I don't recall.

3 Q. And do you recall that that was a public hearing?

4 A. I believe it was a public hearing, yes, yes.

5 Q. And do you recall how the Public Disclosure Commission
6 ruled?

7 A. Yes. They did not rule in our favor.

8 Q. Did you appeal that ruling?

9 A. Yes, we did. And again, the courtroom proceedings
10 became an eventual blur to me, so I believe we appealed
11 that. I'm not sure if we appealed it. We moved into --
12 this thing was moving very fast. I don't recall that we
13 did. I'd have to look at the record.

14 Q. I'm not going to --

15 A. Yeah.

16 Q. -- keep asking about --

17 A. Yeah.

18 Q. -- something you're not sure about.

19 A. Yeah, yeah, yeah.

20 Q. Did you have any problem getting donations prior to the
21 PDC hearing?

22 A. The donation effort was -- it was steady from -- the
23 grassroots people were willing to help. But anybody who
24 could give any substantial contribution was very
25 fearful. And usually you're going to businessmen who --

1 they have a business and they --

2 Q. What --

3 A. -- they were --

4 Q. -- business did you talk to that was --

5 A. Well --

6 Q. -- fearful?

7 A. I wouldn't wanna try and recall specifics. But I talked
8 to -- I made a lot of inquiries, lot of phone calls, and
9 simply we'd get to the point, well, you'd have to
10 disclose your name, and we would just give up. So it
11 became a grassroots campaign only.

12 Q. What businesses expressed to you that they would be
13 interested in contributing --

14 A. I didn't --

15 MR. PIDGEON: Okay, wait, wait, wait.

16 THE WITNESS: Yeah.

17 MR. PIDGEON: I'm going to --

18 THE WITNESS: Yeah, I --

19 MR. PIDGEON: -- interpose an objection --

20 THE WITNESS: Yeah.

21 MR. PIDGEON: -- to this. And I think we may even
22 have to move for a protective order on this particular
23 issue as to --

24 THE WITNESS: Yeah.

25 MR. PIDGEON: -- who these -- as to that if these

1 names are provided, that they be provided under seal and
2 under seal only.

3 THE WITNESS: Yeah.

4 MS. EGELER: Well, the Court can rule on that.

5 Q. (by Ms. Egeler) But you can answer the question.

6 A. I asked no particular businesses. I asked -- I talked
7 to -- I'm talking about businessmen, people of
8 prominence.

9 Q. Can you tell me or do you know anyone who stated that
10 they would like to contribute, but they're fearful about
11 disclosure of their name? Do you remember the name of
12 anyone or any business who said that?

13 A. Yes, I do. I had a young woman who had like a -- I
14 don't know what she did, but she had a little shop in
15 Seattle. And she just said, I can't give if I have to
16 give my name. So, I mean, it's people like that that
17 I'm talking about.

18 Q. Who else? Woman with a shop in Seattle.

19 A. I wouldn't wanna try and recall all these people.

20 Q. I understand that --

21 A. Yeah.

22 Q. -- you might not want to, but --

23 A. Yeah.

24 Q. -- that is why we're here today, to --

25 A. Yeah.

1 Q. -- explore this.

2 A. Yeah, yeah.

3 Q. If we have --

4 A. Yeah, yeah.

5 Q. -- a claim that --

6 A. Yeah.

7 Q. -- harassment was resulting in people not contributing
8 and you have --

9 A. Yeah.

10 Q. -- knowledge of individuals --

11 A. Yeah, yeah.

12 Q. -- that wanted to contribute and expressed to you --

13 A. Yeah.

14 Q. -- they want to contribute but won't because of
15 disclosure, then I do need to know --

16 A. Yeah.

17 Q. -- who these individuals --

18 A. I don't --

19 Q. -- are.

20 A. I don't recall the individuals.

21 Q. So it's not a matter of you refusing to tell me; rather,
22 it's that you don't recall.

23 A. I don't recall.

24 Q. That's fine.

25 Do you recall -- I'm sure you don't recall a

1 specific number; maybe you do -- approximately how many
2 people and businesses did contribute to Protect Marriage
3 Washington?

4 A. Well, I don't know that any business actually
5 contributed, because you can't take corporate checks.
6 But how many donors did we end up with? I don't recall
7 that. Several hundred plus, maybe. I don't know. Two,
8 three hundred, maybe more. It's all on the public
9 record, so --

10 Q. So any donors would be listed there?

11 A. Exactly.

12 Q. And again, any donor Protect Marriage Washington would
13 have complied with the law and properly disclosed to --

14 A. Yes.

15 Q. -- the Public Disclosure Commission?

16 A. Absolutely, mm-hm.

17 Q. And you also mentioned that you -- after hearing from
18 whosigned.org and --

19 A. Yeah.

20 Q. -- Know Thy Neighbor, if you --

21 A. Yeah.

22 Q. -- and I are remembering their names correctly --

23 A. Sure.

24 Q. -- that you had some campaign workers that were
25 uncomfortable and no longer would work for the

1 campaign --

2 A. Well --

3 Q. -- is that right?

4 A. That generated a chill through the whole campaign.

5 Q. Can you tell me who the people were -- that no longer
6 would work for the campaign were?

7 A. Well, I can't. I can't --

8 Q. Do you recall who they are?

9 A. I don't recall.

10 Q. Do you recall how many of them there were?

11 A. I don't recall a number.

12 Q. How many campaign workers were there in total?

13 A. You know, there may have been a time when there was, you
14 know, many hundreds that were out gathering signatures.
15 Many of them I didn't know. They were just out doing
16 it, sending 'em in. So --

17 Q. Since the election occurred --

18 A. Mm-hm.

19 Q. -- have you experienced anything that you would consider
20 to be harassment or threats?

21 A. Well, you know, as a professional person or a person
22 that is now doing campaigns professionally, I've -- for
23 a number of months I was -- you know, and I have a -- I
24 write a column for Red County. It's a conservative
25 blog. And anytime my name would appear on an article, I

1 would get residual harassment, I would say. But, you
2 know, it kinda goes with the territory in politics. But
3 still, it's residual from the R-71 campaign and --

4 Q. Can you be more clear for me what --

5 A. Oh, sure.

6 Q. -- sort of harassment?

7 A. Things like, Larry Stickney's a homophobic bigot, that
8 is posted after I write an article. Larry Stickney was
9 divorced in 1994, blah, blah, blah. Larry Stickney's a
10 rat. I mean, it's just the nastiest stuff you could
11 have. And it's those kinda things that dog me still
12 from that era. And in much of what I do, I continue to
13 get an occasional nasty Email, and I've brought those in
14 too. And I -- even today, the [REDACTED] as
15 recently as last night. So it's still there.

16 Q. So --

17 A. Yeah.

18 Q. -- what's continued after the election --

19 A. Yeah.

20 Q. -- to make sure I'm summing up and understanding --

21 A. Yeah.

22 Q. -- has been the angry words --

23 A. Yeah.

24 Q. -- the blog comments --

25 A. Yeah.

1 Q. -- and angry Emails.

2 A. Exactly. And --

3 MR. PIDGEON: Objection as to form.

4 Q. (by Ms. Egeler) Is that -- is my summary correct?

5 A. Say that again.

6 Q. That, since the election, that the harassment and
7 threats that you've received have been in the form of
8 angry words, angry blog comments, and angry Emails; is
9 that correct?

10 A. Yeah, I -- that's --

11 Q. Any --

12 A. Yeah.

13 Q. Anything else?

14 A. There's been a -- you know, even a number of articles my
15 names are mentioned -- my name has continued to be
16 mentioned in by those that have a column. And so it
17 carries on. And every time something like that happens,
18 I seem to hear something from somebody else that has --
19 that's been generated. So --

20 Q. And again, you --

21 A. I call it residual, you know, harassment, yeah.

22 Q. Have there been any instances of harassment -- or what
23 you believe to be harassment or threats or reprisals
24 connected to your involvement with Referendum 71 either
25 before or after the election that we haven't discussed?

1 A. Well, there was another -- one of the more outstanding
2 incidents. And let me just tell you something: I'm a
3 pretty rough-and-tumble guy. I mean, I'm not a guy who
4 walked into this thing with his eyes closed. But I got
5 rattled on a couple of occasions in this thing. And one
6 of the standout incidents that comes to mind was a
7 series of phone calls that I began to receive from a
8 real odd character.

9 Q. And when did these phone calls happen?

10 A. Those started in late July and it was from a Krystal
11 Mountaine. I used to ski up on Crystal Mountain, so I
12 assumed it was a takeoff on that mountain or whatever.
13 And she would call me and -- at all hours and began
14 to -- it began to be a little bothersome.

15 Q. Was it at your home?

16 A. On my cell phone, which was -- and it was on my home
17 phone number too.

18 But -- and it's just -- usually what I would get
19 was, you know, a lot of sexual innuendo and the attacks
20 were usually bordering on, I hate your guts, you -- I
21 mean, you can read the stuff yourself. But this one was
22 particularly wanting to fight me and saying, I think I'd
23 really like that, and, you know, these kinda things.
24 And it was very bothersome. And then this person warned
25 me that, but I want you to know, I'm an ex-special

1 forces and I can -- you know, I know how to kill.

2 And then I kept -- I know the Emails are in the
3 record, but they clearly mention the phone call they
4 might have had with me. And I know this one
5 (indicating), it says, we had a lovely conversation
6 today on the phone call, Larry. How's it going? And it
7 goes on and on and says, you didn't -- you know, God
8 bless you, hope He forgives your sins. I think we're
9 gonna become best friends, you know.

10 And so I continued to get these odd calls. And
11 then I just -- I didn't -- I began to recognize the
12 phone number and I just didn't pick it up anymore, and
13 that person eventually gave up on me. But I know -- I
14 did find out that my pastor was getting calls,

15 [REDACTED] --

16 Q. Can you --

17 A. -- from this person.

18 Q. Let's stick to what --

19 A. Yeah.

20 Q. -- what you received --

21 A. Yeah.

22 Q. -- because I want to ask you --

23 A. Yeah.

24 Q. -- a few questions --

25 A. Yeah.

1 Q. -- about that.

2 A. Yeah.

3 Q. Did I hear you correctly that it was a woman, Krystal
4 Mountaine?

5 A. Well, it was a man, but she was a transsexual who called
6 herself Krystal. But she had a baritone voice and had
7 been special forces, so was a -- I assume she had -- she
8 told me she was a transsexual. So -- she called herself
9 a she, so --

10 Q. Did you feel afraid of her or more -- was your emotion
11 different than that? Was it fear or something else?

12 A. It was just a little -- it was intimidating and fear of
13 the unknown again. And they seemed to know things
14 and -- I know where you live. You know, I'm in the
15 phone book, so they did know where I lived, and so there
16 was truth in that. And they had my phone number, they
17 had my home phone number, and they had my Email. And --

18 Q. Did you ever call the police and -- or the sheriff to
19 report the calls from Krystal Mountaine?

20 A. I do not recall. I do not believe I did.

21 Q. And why not?

22 A. I began gathering this information and -- well, again,
23 I'm in, you know -- this was either just right at or
24 post -- I think -- believe that we had turned in the
25 signatures.

1 And we had not received any satisfaction on the
2 Bisceglia deal with the local sheriff. And there had
3 been some -- I had been -- I had received a call from a
4 detective in Whatcom County -- or the city of
5 Bellingham. He asked me some questions, but I wasn't
6 hearing back from these guys. I was hoping they were
7 doing something. And I'm living on the run, running a
8 campaign, and I was unable to follow up on some stuff
9 that I normally would.

10 And yet, you know, this had become -- it was
11 getting to be bothersome, but fairly routine just the
12 same. I'm hearing all this harassment. And so I'm --
13 am I gonna let this -- these guys chase me out and chase
14 me into the hills or am I gonna finish -- carry on this
15 campaign? So it was intimidating, a lotta fear of the
16 unknown. But again, I bring you back to the sense of
17 chill and anxiety --

18 Q. I --

19 A. -- that I operated under for many months that took a
20 toll on me and my family.

21 Q. I understand.

22 And --

23 A. Yeah.

24 Q. And I want to explore that with --

25 A. Yeah, yeah.

1 Q. -- respect to these --

2 A. Yeah.

3 Q. -- phone calls --

4 A. Yeah.

5 Q. -- in particular.

6 A. Yeah.

7 Q. Did Krystal Mountaine threaten you with physical harm?

8 A. Well, if threatening me with harm is saying, I want to
9 fight you, I'd really get off on that, and then saying,
10 but I warn you, I know how to kill, I'm an ex-special-
11 forces person, does that rise to the level of a threat?

12 You know, I've lived to be amazed at the things that do
13 and don't in this campaign. So where I come from,
14 that's a threat.

15 Q. So in your mind -- I didn't listen to the phone call.

16 A. Yeah.

17 Q. So in your mind, you did hear it --

18 A. Yes.

19 Q. -- and you felt it was a threat.

20 A. Yes, I did.

21 Q. So you heard this individual say that she was former
22 special forces --

23 A. Mm-hm.

24 Q. -- and could kill you --

25 A. Mm-hm.

1 Q. -- and wanted to fight you.

2 A. Yeah, wanted to fight me because she'd get off on that
3 sexually.

4 Q. But you weren't concerned about letting the police know
5 about this physical threat to you?

6 A. I had too many things to do and I have -- I'm hearing
7 this stuff constantly, the hate I'm absorbing at that
8 point. And I had made a decision I'm gonna carry this
9 thing out by then. And I guess you get somebody
10 cornered and, you know, we were saying, well, we're
11 gonna fight back. You're not gonna drive us out of this
12 campaign.

13 Q. But this individual --

14 A. Yeah.

15 Q. -- said that she was going to --

16 A. Yeah, yeah.

17 Q. -- wanted to fight you.

18 A. I didn't have any -- what proof did I have other than I
19 took a phone call?

20 Q. Just let me --

21 A. Yeah.

22 Q. -- finish the --

23 A. Yeah.

24 Q. -- question.

25 A. Yeah.

1 Q. And that she, if I hear you correctly --

2 A. Yeah.

3 Q. -- knew where you lived. Were you concerned for your
4 family?

5 A. Absolutely.

6 Q. And yet you didn't let the sheriff know about that?

7 A. I don't recall whether we made a call on Krystal
8 Mountaine or not. I know I was turning all these Emails
9 in to our file, you know. I was in communication.

10 Q. Were you --

11 A. So --

12 Q. You were in communication with whom?

13 A. With attorneys at that point. And I think I sent them
14 to Steve and to the Alliance defense fund.

15 Q. And by Steve, you mean --

16 A. Steve Pidgeon.

17 Q. -- Steve Pidgeon?

18 A. So --

19 Q. And do --

20 A. Yeah.

21 Q. -- you know if Steve Pidgeon let the --

22 A. No, I don't know --

23 Q. -- Snohomish County Sheriff's --

24 A. -- that I ever made a -- you know, what reports I made
25 other than I kept the Emails I got from this person.

1 That threat came in on a phone call, yeah.

2 Q. But you didn't feel concerned enough about your family's
3 safety to call the police --

4 A. Oh, I absolutely --

5 Q. -- about that?

6 A. -- felt concerned enough. I didn't feel I was gonna get
7 any response from Sheriff Lovick.

8 Q. Did you --

9 A. Yeah.

10 Q. Do you have a police force in the city of Arlington?

11 A. No. We're outside the city limits. Very vulnerable. I
12 had no confidence in Sheriff Lovick at that point.

13 Q. But you didn't let Sheriff Lovick know about this threat
14 of physical --

15 A. I don't --

16 Q. -- harm from --

17 A. -- recall whether we let him know or not.

18 Q. Who would know? Would your wife recall?

19 A. I doubt that.

20 Q. And let's explore --

21 A. Yeah.

22 Q. -- your feeling of a lack of confidence in the sheriff.

23 A. Yeah.

24 Q. Other than your contact with the sheriff to --

25 A. Mm-hm.

1 Q. -- tell the sheriff about the Bellingham blog, had you
2 had any other contact with the sheriff's office?

3 A. I re-sent my complaints to Sheriff Lovick again to see
4 if he was going to do anything.

5 Q. And specifically, your complaint about --

6 A. That was the Bisceglia --

7 Q. -- the --

8 A. -- issue.

9 Q. -- Bellingham --

10 A. Exactly.

11 Q. -- site?

12 A. Yeah.

13 And I had kinda felt like, well, if they don't act
14 on this, you know, what are they gonna do with a bunch
15 of stuff I don't have hard evidence on? That was my
16 logic.

17 Q. Do you know if a police report was ever made?

18 A. I do not recall.

19 Q. Did you follow up with a phone call to the sheriff's
20 office?

21 A. I don't recall and -- like I don't recall any
22 conversation with the sheriff on the Krystal Mountaine
23 thing.

24 Q. Anything else in terms of your contact with the
25 sheriff's office at any time that would cause you to

1 have a lack of confidence?

2 A. That was enough for me, that they wouldn't -- they
3 didn't communicate with us. They didn't even send
4 somebody out to the house, and that upset me.

5 Q. They didn't send somebody out --

6 A. I thought --

7 Q. -- to the house --

8 A. -- they might at least send a deputy out to talk to us,
9 yeah. But we didn't even -- we didn't get that -- even
10 get that kind of a response out of them.

11 Q. And again, that would be to talk to you with respect to
12 the Bellingham --

13 A. Yeah.

14 Q. -- blog.

15 A. Exactly, yeah, yeah.

16 Q. Do you know of any physical harm that occurred to any
17 Referendum 1 (sic) supporters in the state of
18 Washington?

19 A. I would hear rumors and this and that of stuff. I don't
20 know of -- and I'm thinking right now, but -- I heard of
21 some bottles being thrown and some garbage being thrown
22 at people and --

23 Q. Where was that?

24 A. Spokane area.

25 Q. Who told you that?

1 A. I don't recall. I tried to list a lotta this stuff,
2 but -- I think there's people that know about that. But
3 I heard about that incident and that may have -- that
4 may be -- might have been through some of the Russians
5 at the Spokane churches.

6 Q. Did you speak to someone directly about that who --

7 A. I --

8 Q. -- was there?

9 A. I heard about it. I don't recall who told me. But you
10 may get that information in this thing. I hope so.

11 Q. Do you --

12 A. It's --

13 Q. -- know when that happened?

14 A. It was in the summertime, you know.

15 Q. Any other instances of physical harm that you're aware
16 of?

17 A. Well, maybe to myself, if that matters. I --

18 Q. It absolutely --

19 A. I ended up --

20 Q. -- matters.

21 A. I ended up -- and I've tried to describe the anxiety and
22 the atmosphere of fright and -- as a father with small
23 children and older kids and feeling vulnerable all of a
24 sudden, thinking we were safe. I developed -- I was --
25 I took a -- some -- I became physically sick towards the

1 end of the campaign. It really took a toll. And I was
2 determined we were gonna finish the campaign. And my
3 attitude got to be, if it kills me, we're gonna finish
4 the campaign.

5 And I remember somebody noticing me at a -- now, I
6 was getting heckled at a forum in Yakima. Now, there
7 was another forum we didn't mention. But there was a
8 large rally -- there was a rally in Yakima. And I
9 specifically remember getting yelled at by a woman of
10 the cloth who earlier in the day had been a very well-
11 mannered participant in the editorial board at the
12 Yakima paper. And that evening, I walked past them and
13 they were yelling obscenities at me.

14 But somebody noticed that I was actually dragging
15 my right foot. So when I say I was dragging, I was
16 literally dragging, and I was having things like my foot
17 fall asleep. And I couldn't -- I was running so hard to
18 all the events and trying to get through this thing that
19 I hardly noticed myself that I was having some severe
20 physical breakdown. And it -- I developed tremendous
21 soreness throughout my whole body and --

22 Q. Were you able to --

23 A. -- I was tired and running a low-level fever. And I
24 didn't -- I started to think I might have had something
25 very severe. And -- but again, I was determined we were

1 gonna get through the campaign. And I didn't seek
2 medical treatment till, maybe, after November 5th, when
3 I nearly had to be propped up to give the speech at
4 the -- at our election-night celebration. But -- I
5 mean, I was still standing, but -- and then we had --
6 our insurance had lapsed at that point, so we were not
7 even knowing what to do. But --

8 Q. Were you able to stop and get some rest during the
9 campaign?

10 A. I felt through that campaign that if I could just get
11 one good night's sleep, I'd be okay. And it was so
12 stressful and -- but I was diagnosed after the election
13 with a severe form of systemic arthritis that was
14 brought on by the stress.

15 Q. So it sounds like you weren't able to get a --

16 A. It triggered --

17 Q. -- good night's sleep.

18 A. I never -- I couldn't until -- I ended up on a couple of
19 different types of medication and they're controlling it
20 at this point. But it's something that will likely
21 permanently affect me.

22 Q. And --

23 A. Yeah.

24 Q. -- was that lack of sleep due in part to --

25 A. Absolutely.

1 Q. -- having to --

2 A. Sure. Stress.

3 Q. Let me finish the question --

4 A. Yeah.

5 Q. -- please.

6 A. I'm terrible.

7 Q. Was it due in part to -- you've talked a number of times
8 about the very short time you had to gather these
9 petitions. Was it due in part to running around the
10 state trying to get information and petitions and signs
11 distributed?

12 A. Well, I would say likely all those things are a factor.
13 But to me, what I remember about last summer -- and the
14 reason I remember it is because -- even coming back here
15 brings it back and -- is the chill and the fear that I
16 was operating under. And it was -- you know, it's hard
17 to describe --

18 Q. Let's --

19 A. -- to have a cloud over you like that and to fear the
20 unknown so deeply that it's affecting you and your
21 confidence and your physical health.

22 Q. Let's talk about the woman in Yakima that yelled --

23 A. Yeah.

24 Q. -- at you.

25 A. Yeah.

1 Q. You saw her at an editorial --

2 A. Yes.

3 Q. -- board at the paper?

4 A. Correct, yeah.

5 Q. If you could just wait till I finish the question.

6 Do you recall her name?

7 A. I do not, but that would be easy to find, because she

8 was -- if you were to -- there would be an article

9 somewhere about the Yakima -- the editorial-board

10 participants and --

11 Q. And you said she was a woman of the cloth. So did you

12 mean by that --

13 A. She was --

14 Q. -- that she was --

15 A. She had a -- some type of church there. And she was my

16 opponent in an editorial-board conversation with the

17 Yakima Herald, so --

18 Q. And she would be the only opponent, so it would be clear

19 who she is?

20 A. There was two of them, but she was the only female,

21 yeah. And she's a fairly high-profile opponent of R-71,

22 so that wouldn't be too hard to find. But --

23 Q. So you said after the editorial-board discussion --

24 A. Yeah.

25 Q. -- you saw her --

1 tonight, Larry?

2 A. Yeah, yeah.

3 Q. Did she say anything else?

4 A. I don't recall what it was, but there was chatter coming
5 out of a group of them there that were there to protest
6 the -- our involvement at the event. And I -- so -- and
7 I can't give you any specifics of it other than it was
8 heckling. But I specifically remember her comment,
9 so --

10 Q. Are there any other instances that you believe were
11 harassment or threats that we haven't covered, specific
12 incidents?

13 A. Well, I don't have a great recollection other than, you
14 know, I did a lot to keep myself out of public places.

15 Q. But do you have --

16 A. Yeah.

17 Q. -- any other instances of threats or harassment that you
18 recall?

19 A. No. They're all in the record by the stacks, so --

20 MS. EGELER: Okay, then I have no further --

21 THE WITNESS: Yeah.

22 MS. EGELER: -- questions at this --

23 THE WITNESS: Okay, yeah.

24 MS. EGELER: -- point -- oh, actually, I do; I'm
25 sorry.

1 THE WITNESS: Okay.

2 MS. EGELER: I want to go back on.

3 Q. (by Ms. Egeler) There was something that you mentioned
4 earlier and I promised you you would get a chance to
5 talk about it and I want to make good on that.

6 A. All right.

7 Q. You talked about damage to R-71 signs, so let's explore
8 that. Can you tell me --

9 A. Oh, well, it was -- I mean, you know, I've been involved
10 in a few campaigns, enough to know that -- you know, we
11 had already discussed that there is a -- at least a
12 minimal amount of sign damage to most campaigns. And --
13 but I have never in my life experienced anything like
14 this one. And --

15 Q. And --

16 A. So --

17 Q. -- not focusing so much --

18 A. Yeah.

19 Q. -- on past --

20 A. Yeah.

21 Q. -- experiences, but rather --

22 A. Yeah.

23 Q. -- on this one --

24 A. Yeah.

25 Q. -- what can you --

1 A. Yeah.

2 Q. -- tell me about --

3 A. Yeah. Well, we couldn't --

4 Q. -- what you saw?

5 A. We distributed 6,000 signs around the state of
6 Washington, of which -- they were stolen, broken,
7 vandalized almost overnight wherever they would go,
8 wherever we would put 'em up. And I had -- I just got
9 to the point where I go, we're not gonna do any more
10 signs.

11 Q. Every sign you put up around the state was either
12 stolen, broken --

13 A. Well --

14 Q. -- or vandalized?

15 A. -- I would say near -- I would say 90 percent were -- I
16 mean, they would go up overnight and they'd be gone the
17 next day, torn up, slashed, or spray painted.

18 Q. Do you know if anybody who supports Referendum 71 took
19 down any signs that opposed Referendum 71?

20 A. I did not hear one incident of complaint of that, not
21 one.

22 Q. Do you know of any signs being stolen, broken, or
23 vandalized specifically by people who opposed
24 Referendum 71?

25 A. Well, I did submit some photos with swastikas and FU and

1 all that kinda stuff. I assume they didn't like us.

2 Q. So with respect to vandalism, you made that assumption
3 because of the language that was put on the sign or, you
4 know, symbols --

5 A. Well --

6 Q. -- that were put on?

7 A. They would write things on the sign. So it was pretty
8 easy to see that they were -- this wasn't just kids
9 walking down the street kicking your sign down. These
10 were -- this was an organized effort.

11 Q. With respect to signs that were stolen or broken --

12 A. Mm-hm.

13 Q. -- what indication did you have that it was related to
14 people that opposed Referendum 71?

15 A. Well, when you spray paint "bigots" or something on
16 that, you get a pretty good idea.

17 Q. But just looking for now at those signs that were stolen
18 or broken and --

19 A. Mm-hm.

20 Q. -- didn't have any message spray painted or written on
21 them --

22 A. Yeah.

23 Q. -- did you have any indication or are you guessing that
24 those people who did that were opposed to Referendum 71?

25 A. Yes, yes.

1 Q. Yes, you're guessing, or yes, you had specific
2 knowledge?

3 A. Well, let's just say that it -- that I made an educated
4 assumption.

5 Q. Did --

6 A. It's usually the case.

7 Q. So you did not have specific information about those
8 stolen or broken signs.

9 A. And --

10 Q. Is it --

11 A. And --

12 Q. I don't think that got --

13 A. I mean, I --

14 Q. -- on the record.

15 A. -- I couldn't give you something that would likely stand
16 up in a court of law today, but it seemed pretty obvious
17 to us.

18 Q. Was anyone caught in the act of stealing or breaking a
19 sign?

20 A. No. It was done in the evenings.

21 Q. Always?

22 A. Seemed to be. I mean, if we could have caught 'em, we
23 would have. We were far too busy to put together our
24 own police force.

25 Q. How many signs were spray painted or written on in any

1 way?

2 A. There were 6,000 signs out. Ninety percent were
3 destroyed or vandalized.

4 Q. What percentage were vandalized --

5 A. I can't --

6 Q. -- with some sort of writing?

7 A. -- give you that. I wasn't monitoring. The ones east
8 of the mountains did a lot better than the ones on this
9 side. I couldn't keep signs up around here, the whole
10 west side.

11 Q. Do you recall any specific locations where signs were
12 vandalized?

13 A. Tacoma was especially awful. Just -- and I had a good
14 team down there. And the minute they'd put 'em in,
15 they'd be gone.

16 Q. Anything else? Any other sort of property damage,
17 physical damage, or other forms of threats or harassment
18 that were experienced that we --

19 A. Well --

20 Q. -- didn't cover?

21 A. -- there's a lot of things I assume you'll probably hear
22 about as you carry on your --

23 Q. From others --

24 A. -- duties.

25 Q. -- though.

1 A. Yeah, yeah.

2 Q. Not that you personally experienced.

3 A. You've gotten a summary of mine and --

4 Q. Is it complete?

5 A. Well, as complete as I can give you today with the
6 limited resources I had during that campaign to gather
7 all this information.

8 MS. EGELER: Okay, okay. Well, with --

9 THE WITNESS: All right.

10 MS. EGELER: -- that, I really am done for the
11 moment with questions.

12 MR. DIXSON: All right.

13

14 EXAMINATION

15 BY MR. DIXSON:

16 Q. Mr. Stickney, good morning. My name's --

17 A. Morning.

18 Q. -- Steve Dixson. I'm an attorney with the -- for the
19 Washington Coalition for Open Government. I have a few
20 brief follow-up questions.

21 A. Yeah.

22 Q. You mentioned that you had a radio show that you used to
23 conduct while you were working for the Washington Values
24 Alliance; is that correct?

25 A. That's correct, yeah.

1 Q. What station was that?

2 A. It was on Christian radio stations.

3 Q. A --

4 A. A number of 'em in --

5 Q. A network of radio stations?

6 A. Yeah, yeah. Eastern Washington.

7 Q. And since you suspended that show, has it --

8 A. Yeah.

9 Q. -- gone back on the air?

10 A. No. No, it has not.

11 Q. Turning to the content of the Protect Marriage
12 Washington Web site and the Washington Values Alliance
13 Web site, who controls the content of those Web sites?

14 A. I do.

15 Q. Are you the Webmaster, if there is a Webmaster --

16 A. Yes --

17 Q. -- for those Web sites?

18 A. -- pretty much so. I have a Web builder, but I'm -- I
19 control the content.

20 Q. You have final say in what is published on that Web
21 site.

22 A. Yes, yes. I have a board that's essentially dormant at
23 this point.

24 Q. And how many members are on that board?

25 A. It's myself and two other people. But one person is

1 completely out of the picture due to physical illness.

2 Q. Who are the other board -- is this board for Washington
3 Values Alliance --

4 A. Values Alliance --

5 Q. -- or Protect --

6 A. -- yeah.

7 Q. -- Marriage --

8 A. Values Alliance, yeah.

9 Q. And who are the other two board members --

10 A. [REDACTED].

11 Q. And that's the [REDACTED] that has been --

12 A. Yeah, [REDACTED].

13 Q. -- referred to? Okay.

14 You stated that you traveled around the state --

15 A. Yeah.

16 Q. -- distributing petitions and giving instructions to
17 those who were going to gather signatures --

18 A. Yeah.

19 Q. -- is that correct?

20 A. Correct, yeah.

21 Q. What would you --

22 A. I should say that I was making that happen. My son did
23 a lot of the driving. We all shared lots of duties and
24 wore different hats.

25 Q. At any point, did you give instructions to people that

1 were going to gather signatures for those --

2 A. Yeah. We had a --

3 Q. -- petitions?

4 A. We had a sheet that went out with 'em that is -- should
5 be submitted here somewhere. So --

6 Q. Assuming it is --

7 A. Yeah.

8 Q. -- and it may be, but --

9 A. Yeah.

10 Q. -- do you remember, what were the instructions that you
11 would give to someone that was going to gather
12 signatures?

13 A. They were generally the instructions that you'd get off
14 the Secretary of State's guidelines.

15 Q. Did you amend those at all to make them personal to your
16 campaign or just take --

17 A. Well, we personalized --

18 Q. -- the State's suggestions?

19 A. -- it, sure. And we had to have a lot of different
20 strategy for this campaign.

21 Q. Can you describe some of those different strategies --

22 A. Well --

23 Q. -- for gathering signatures?

24 A. And you should, you know, make note of it that we --
25 this was not a petition that you could put down at the

1 corner drugstore. We would -- you know, it had to be --
2 get -- gotten to people that were gonna be active with
3 it because of -- they would just be simply stolen. And
4 I had -- was constantly getting requests for the
5 petition from people that wanted a thousand of 'em
6 and -- that would just take 'em down and throw 'em in a
7 dumpster. So -- yeah.

8 Q. Why couldn't the -- what do you mean by it couldn't just
9 be put at the corner drugstore?

10 A. Because it was such a -- there was such hostility
11 generated that if you -- you know, if we -- and our fear
12 was -- because we never began by putting 'em in every
13 gas station or something. We -- you know, our strategy
14 was to get 'em to people that would do something with
15 'em. So --

16 Q. So do you mean you wouldn't just have them passively
17 sitting there, you wanted them in the hands of active
18 signature --

19 A. Yeah.

20 Q. -- gatherers?

21 A. People that were gonna go out and do something with 'em,
22 right. Yeah, exactly.

23 Q. Do you remember what your instructions would be to those
24 people that were going to gather the signatures? Did
25 you tell them where to go?

1 A. There was -- I don't know if that was on the -- the
2 sheet just gave general things about being courteous
3 and, you know, where you could stand legally, you know,
4 if you're -- you know, you can stand on a sidewalk, but
5 you can't stand on private property without permission,
6 things like that.

7 Q. Did you stay in touch with your signature gatherers
8 during the course of the campaign?

9 A. Yeah. We would get a lotta correspondence and, you
10 know, phone calls and things like that and did our best
11 to -- you know, what we -- we had a lotta people that we
12 would mail the petitions to. So that was -- that's how
13 we did it. Somebody --

14 Q. You --

15 A. You know, we would do a -- generally try and find out if
16 the person was legitimate before we'd send 'em. So --

17 Q. Did you do any type of background checks of those people
18 that requested petitions from you?

19 A. To the best of our ability. And we found a lotta people
20 that were asking that were from -- working with other
21 groups that were opposing us.

22 Q. Can you -- you mentioned that some people requested, I
23 think you said, thousands and placed them in the
24 dumpster. What do you -- can you elaborate --

25 A. I said --

1 Q. -- on that.

2 A. I said we had requests that were bogus. We were fearful
3 that if we just made 'em -- stacks of 'em public, they'd
4 just be tossed. I mean, I was -- you know, there was
5 blog posts with our petition in a urinal and things like
6 that. So obviously we weren't just gonna, you know,
7 give 'em to anybody without trying to find out if they
8 were somebody who was actually gonna help us.

9 Q. But you know that some of them went into the hands of
10 those who opposed the referendum; is that correct?

11 A. You know, when you have -- I can't remember how many we
12 ended up printing. Maybe a hundred -- I can't remember
13 if it was -- did we distribute 75,000 or 150,000? It
14 was a lot of 'em that were out. So, you know, where
15 some of 'em ended up, I can't tell you. So --

16 Q. You stated that people placed petitions in the dumpster.
17 Was that --

18 A. No, what --

19 Q. -- being facetious or are you aware of --

20 A. No, no, no. I said we avoided making them available in
21 bulk like that for the fear of they would just end up in
22 a dumpster. So it was more for fear than anything.
23 So --

24 Q. But you're not aware of any --

25 A. No, no. And --

1 Q. -- specific petition dumping.

2 A. -- we avoided, like I said, the public locations for
3 that reason.

4 Q. Turning to the children being moved into the living
5 room, approximately --

6 A. Yeah.

7 Q. -- how long did you guys --

8 A. Well --

9 Q. -- stay in the living room?

10 A. That went on, likely, for a couple months at the height
11 of the whole thing, when we were most fearful. And we
12 began to feel a little more confident in time at home
13 again. But -- and I was -- the worst part was during
14 the signature gathering, when I was either in Olympia or
15 in and around -- in -- you know, when I'm -- you know, I
16 worked outta the house most of the time. So -- but I
17 usually would -- you know, throughout most of the
18 campaign, I had the kids sleeping in other places other
19 than their room as the -- because of that fear.

20 Q. Was it every night for a couple months or --

21 A. Yeah.

22 Q. -- over a period --

23 A. No, every --

24 Q. -- of months?

25 A. -- night for a couple months.

1 Q. Regardless of whether or not you were home.

2 A. That's right, yeah.

3 Q. And all -- was it five children; is that correct? I
4 think I heard you name --

5 A. Well, the --

6 Q. -- four girls --

7 A. The --

8 Q. -- plus [REDACTED]?

9 A. The three girls were the most vulnerable, the little
10 girls, and they shared a room. And I had -- I have -- I
11 had two boys, mind you, at home and a daughter. So we
12 have so many bedrooms. And the girls have a bunk bed
13 and another bed in that bedroom, and I moved 'em outta
14 there. So --

15 Q. And your other son's name besides [REDACTED] is?

16 A. [REDACTED]

17 Q. [REDACTED] age last --

18 A. College --

19 Q. -- summer?

20 A. -- age. He was home for the summer.

21 Q. He's older -- is [REDACTED] your oldest son, then?

22 A. Yeah, oldest son.

23 Q. Since the election, has there been a time when the
24 family's -- when the children have slept in the living
25 room or outside of their bedrooms?

1 A. We've since moved back in. But, you know, we don't --
2 we've never felt safe there since and we're actually --
3 I'll just leave it at that.

4 MR. DIXSON: Okay, that's the extent of my
5 questions.

6 MS. ENGRAV: Okay, I just have a few.
7

8 EXAMINATION

9 BY MS. ENGRAV:

10 Q. Good morning, Mr. Stickney. My name is Rebecca Engrav;
11 I'm an attorney for Washington Families Standing
12 Together, and I just have a few. I'll try not to cover
13 anything that's already been covered.

14 A couple of clarifications. You mentioned the time
15 when you took the signatures down to the Secretary of
16 State's Office.

17 A. Yeah.

18 Q. And had you prepared a press release from your
19 organization for that event as well?

20 A. I don't recall, but I would think so.

21 Q. And what would your practice have been with a press
22 release in terms of how it would be released and to how
23 many media outlets?

24 A. We -- you know, I'm trying to think about -- are you
25 talking about the day that we turned the signatures in?

1 Q. You were working hard during the campaign?

2 A. Working hard. But I can only describe it as a -- if
3 you've ever played in a softball tournament and played
4 about seven games on a weekend, the next day you're
5 just -- you can't hardly move. And that's how I
6 operated for the last months -- the last couple months
7 of the campaign.

8 Q. The pace --

9 A. It was getting --

10 Q. The pace was pretty quick to get the signatures in?

11 A. The pace was very quick, yeah. The pain came on a
12 little later in the campaign.

13 MS. ENGRAV: That is all I have.

14 MR. PIDGEON: Okay, I do have some follow-up.

15

16 EXAMINATION

17 BY MR. PIDGEON:

18 Q. This is Steven Pidgeon.

19 Larry, how are you?

20 A. Good. Good to see you, Steve.

21 Q. I want to explore a little bit more about what you know
22 about [REDACTED]. You mentioned earlier in your
23 testimony that her name had appeared in a newspaper
24 article?

25 A. That was one of the many articles, yeah. But there was

1 that you may have related to harassment associated with
2 the R-71 petition that's been -- that the Secretary of
3 State has asked concerning a document request? Are you
4 aware of that?

5 A. Am I aware of the --

6 Q. Are you aware that there's a document request from you?

7 A. Yes.

8 Q. Is this (indicating) a document that you printed here?

9 A. Yes. Late last night I got that.

10 MR. PIDGEON: I'd like to mark that as an exhibit
11 to this deposition. Unfortunately, we only have this
12 original. We have no other copy.

13 [Exhibit 1 marked for identification]

14 Q. (by Mr. Pidgeon) Now, what do you know about this
15 document? First of all, can you tell us what this is.

16 A. Well, it was -- last night I was on my own personal
17 Email and -- or -- and I got an Email from [REDACTED]
18 [REDACTED]. And she said, Larry, I just got this. This just
19 came -- or just -- this just was posted on my YouTube.
20 It's a YouTube video and it's a campaign video on
21 YouTube.

22 And I don't know when the forum was, but it says,
23 [REDACTED] gay marriage stance. So I assume it's
24 somebody who's opposing her that would just post that,
25 because I don't think that's an issue she's running on.

1 But she -- her own campaign would use that as a title
2 for the -- just -- so -- and what I know of it is that
3 it came over. And the comment -- a comment on it that
4 came in -- it says, "Oh my God, this woman is so" F'ing
5 "stupid. Someone please shoot her in the head, again
6 and again. And again."

7 And so she was shook up last night and said, Larry,
8 what -- you know, what do I do with this thing? I said,
9 well -- I said, I guess save it. And she goes -- you
10 know, I said, you know, report it to the police if
11 you're -- you feel threatened. So that's what I know of
12 it. And I brought it in here today and I'm turning it
13 over here to this court -- or to this process here
14 today.

15 Q. Now, let me ask you about this fellow Bisceglia.

16 A. Yeah, yeah.

17 Q. Do you know, did he ever post on any blog any reference
18 to using firearms or getting guns?

19 A. Well, yes, and I believe that's -- that we've got that
20 material. And there was a variety of postings and some
21 more vicious than others.

22 Q. Did he say things like, get a gun and go shoot Stickney
23 or -- and his family, or things of that nature?

24 A. Why can't we go to Arlington and harm his family? I
25 recall that very well, yes. And then I know a link -- I

1 remember the link to his Web site, and there was talk of
2 guns and a picture of a gun. And it was menacing.

3 Q. And do you know, was there ever a referral made to the
4 FBI about Bisceglia's --

5 A. Yes.

6 Q. -- conduct?

7 A. I recall that there was, yes.

8 Q. And do you recall, did the FBI do anything?

9 A. No. I don't recall hearing back from them, no.

10 Q. So did a member of the FBI ever contact you about
11 whether or not you experienced any --

12 A. I --

13 Q. -- death threats or anything from this --

14 A. I recall no follow-up from anybody.

15 Q. Did you ever have any law-enforcement officer make
16 personal contact with you at your house to investigate
17 all of these numerous threats --

18 A. Well --

19 Q. -- death threats, threats of harassment, threats of
20 intimidation, and so on?

21 A. Well, I had Sheriff Lovick reply that he was looking at
22 it, and I believe he -- I believe the Email that would
23 be in the record is that he had forwarded it up to the
24 sheriff in Whatcom County, and I don't recall his name.
25 But I did get a phone call from a detective that

1 identified himself as the city of Everett. I can't tell
2 you his name, but he said he was looking into it at the
3 city of Bellingham. And then I never heard back from
4 that either.

5 So -- and I had high hopes they would do something.
6 But, again, we were very busy and I felt like, well,
7 there was a lotta things that I couldn't do very well
8 during this campaign because I was a mile wide and an
9 inch deep and spread thin. So that was happening. I
10 think we could probably get the sheriff in Whatcom to
11 chase that down.

12 Q. Let me ask you this: Now, you mentioned that you did
13 file the names of contributors to the campaign with the
14 Public --

15 A. Yeah.

16 Q. -- Disclosure --

17 A. Exactly.

18 Q. -- Commission. Do you know how much money you raised
19 totally for the R-71 campaign?

20 A. Well, I think that officially, it was in the range of
21 \$125,000 as far as money raised and spent for the
22 campaign. But I -- maybe now I should say officially.
23 That number was greater, I think, because of the in-kind
24 donation for the legal fees from the Bopp Coleson firm,
25 which was, you know, double that amount. So what's

1 officially listed on Public Disclosure Commission I'm
2 not sure, but money raised in the campaign was right in
3 the neighborhood of \$125,000.

4 Q. And then do you know what the opposition raised and
5 spent?

6 A. I don't have any -- I -- you know, I'm recalling that it
7 was several million dollars. Several million, yeah.

8 Q. Now, to your knowledge, did -- any of the contributors
9 who were listed on the public-records disclosure, were
10 any of them contacted or harassed, to your knowledge?

11 A. Yes. I do recall that the magazine The Stranger called
12 contributors, yes.

13 Q. And did they call them during normal business hours or
14 were they --

15 A. They --

16 Q. -- after-hours or what happened?

17 A. As far as I know, they were calling in -- I don't know
18 what time of day. I know my -- you know, I do know they
19 called my dad, but I'm not sure my dad contributed to
20 the campaign. But I know that they were called and a
21 lot of them were elderly. But I do recall that there
22 was actually an article in The Stranger talking about
23 their conversation they had with R-71 donors, so it's
24 not a secret.

25 Q. Now, you mentioned that you --

1 A. They even mentioned them by name, those people. They
2 gave 'em names. It says, we interviewed so and so, who
3 gave money to R-71.

4 Q. Would you expect that The Stranger would have
5 contacted -- or run pieces like know thy enemy if you'd
6 had substantial donors?

7 A. Oh, I saw all over the blogs, release the names so we
8 can boycott your businesses, you know. So their
9 aggressive tactic was to do whatever they could to, I
10 would say, bring any type of negative force they could
11 to those folks who might be amongst the names listed.

12 Q. Now, you mentioned also that you had a very short time
13 to gather petitions.

14 A. Yes.

15 Q. Was it any shorter than any other time to gather
16 petitions for people in the normal petition process?

17 A. Absolutely. You had a governor that was committed to
18 the issue and used every legislative maneuver within the
19 law to thwart the normal process and managed to -- you
20 know, in a variety of legislative razzle-dazzle and
21 manipulations, was able to cut our time down to --
22 instead of the normal 90 days, we ended up with maybe a
23 maximum possible days -- I can't remember. Did we end
24 up even having 50, 60 days? By the time the petition
25 was printed, 49 days to gather, I think is what it was.

1 It's --

2 Q. And how many signatures were eventually gathered?

3 A. Hundred and thirty-eight thousand.

4 Q. And how many did you need for approval?

5 A. Hundred and twenty something.

6 Q. So you needed a very low rejection rate.

7 A. That's correct, yeah, yeah.

8 Q. And you did, in fact, end up with a very low rejection
9 rate?

10 A. We did, yes.

11 Q. Now, one other question for you.

12 Now, you were -- you did attend the hearing at the
13 Supreme Court?

14 A. Yes, Washington, D.C.

15 Q. Yes.

16 A. Yes.

17 Q. And do you recall passing through metal detectors at the
18 Supreme Court?

19 A. Yes, I do.

20 Q. Did you hear any -- to your knowledge, did you hear
21 anything whether or not security had been increased at
22 the Supreme Court?

23 A. Yes. As I recall, they were asking at that very time
24 for -- I believe it was 23 additional police or law-
25 enforcement personnel for increased security. Now, I'm

1 not saying it was this issue necessarily, but they've
2 been asking for increased security at the U.S. Supreme
3 Court for their hearings.

4 Q. And did you hear Attorney General McKenna's live
5 testimony at the court?

6 A. Yes, I did. Yes.

7 Q. Did you hear him say that members of his office were
8 subject to daily contact by people who disagreed with
9 them?

10 A. Yes, I do recall hearing that. Yes.

11 Q. Now, we're being -- you're being deposed at an Attorney
12 General's office today; is that correct?

13 A. That's correct.

14 Q. Can you tell us whether or not you were able to freely
15 enter this particular conference room for this
16 deposition or did you enter through a locked door and
17 through a security procedure?

18 A. Locked door, security procedure.

19 MR. PIDGEON: Okay, I have nothing further.
20

21 FURTHER EXAMINATION

22 BY MS. EGELER:

23 Q. I have a few follow-up questions, starting with this
24 office.

25 Do you -- are you aware, sitting here today in the

1 identified himself as.

2 Q. Do you remember his name?

3 A. I do not. But I think that the county sheriff would
4 have to know that.

5 Q. What did he say to you?

6 A. He said he was gonna take a look into the Bisceglia
7 matter.

8 Q. Did he say how he would do that?

9 A. He just said he was a detective. He caught me on the
10 run and I'm bombing around somewhere and he says, I just
11 want you to know that we're gonna take a look at this
12 thing for you. That's the last I heard of him.

13 Q. And did you call him back to ask --

14 A. No. I didn't --

15 Q. -- about it?

16 A. -- have his number.

17 Q. Where did you receive the call?

18 A. Cell phone.

19 Q. So your cell phone had the number.

20 A. Somewhere on my cell phone.

21 Q. And did you write that number down?

22 A. No, I did not.

23 Q. Why not?

24 A. Ma'am, I was -- a lot of these calls I was fielding on
25 the run.

1 Q. You were asked by Mr. Pidgeon whether you received a
2 call back from law officers regarding all of these
3 numerous threats. But isn't it the case that you only
4 reported to the police the blog site in Bellingham?
5 Isn't that what you said earlier?

6 A. That is correct, yes.

7 Q. With respect to the exhibit to your deposition, Exhibit
8 No. 1, which is the comment that was posted, that was
9 posted on YouTube; is that correct?

10 A. That is correct.

11 Q. I wanted to ask you about Washington Values Alliance one
12 more time. When the Alliance endorses a candidate, does
13 the candidate approach Washington Values Alliance asking
14 for that endorsement or do you seek candidates out?

15 A. We had a few ask us if we would consider it. I had some
16 asks. And I keep tabs a little bit down there, but
17 frankly, I just -- I -- the Values Alliance is all but
18 dormant. And we endorsed a few of our favorite
19 candidates this year and have not been active, really.
20 Maybe we've endorsed a half a dozen, is all.

21 Q. Do you recall if [REDACTED] asked for that
22 endorsement?

23 A. I believe she mentioned that to me, ask -- I'd like --
24 could I get an endorsement? Saw me at an event or
25 something, and I said, I'll take a look. And I tried to

1 find out about her and do all the things I need to do to
2 give an endorsement.

3 Q. Do you recall whether in 2009 there were any homes for
4 sale within, say, a mile of your home, whether you saw
5 any for-sale signs?

6 A. Sure, sure, yeah.

7 Q. And in what year did you buy your house?

8 A. Maybe like ten years ago today -- or October of ten
9 years ago.

10 Q. I want to ask you about an article that was in The
11 Stranger. I wasn't planning to bring it up, but given
12 the individual that made a comment about which wife are
13 you bringing --

14 A. Yeah.

15 Q. -- there was an article in The Stranger that, I would
16 agree, was not friendly --

17 A. Yeah.

18 Q. -- and it stated that you'd had multiple marriages. Do
19 you recall that article?

20 A. Yes, I do. Sure, yeah.

21 Q. How many marriages have you had?

22 A. I had --

23 MR. PIDGEON: I'm going to object to relevance.

24 THE WITNESS: Yeah.

25 MR. PIDGEON: Go ahead and answer.

1 A. Yeah, and I've been very open about that. I had two
2 marriages that ended in divorce.

3 Q. (by Ms. Egeler) And then a third marriage that you're
4 currently --

5 A. I'm -- I've been married -- happily married for twelve
6 years. So -- yeah.

7 Q. And that article made allegations -- I'm not trying
8 to --

9 A. Yeah.

10 Q. -- assert the truth of --

11 A. Sure.

12 Q. -- the matter --

13 A. Yeah.

14 Q. -- allegations about domestic violence --

15 A. Yeah.

16 Q. -- in one of those marriages. Do you recall that?

17 A. I --

18 MR. PIDGEON: Again, going to object as to
19 relevance.

20 Go ahead and answer.

21 A. Yeah, I recall the article. Sure, yeah, yeah, mm-hm.

22 Q. (by Ms. Egeler) And was that truthful when they said
23 that?

24 A. No.

25 Q. Can you tell me what might have caused them to say

1 something --

2 A. Well --

3 Q. -- like that. What in the public record might have
4 caused them to say something like that?

5 MR. PIDGEON: I'm going to object again to
6 relevance.

7 Go ahead.

8 THE WITNESS: Okay.

9 A. Well --

10 MR. PIDGEON: In fact, hold on.

11 THE WITNESS: Yeah.

12 MR. PIDGEON: This line of questioning just in
13 general, I'm going to object to relevance. That way I
14 don't have to do it every question. All right.

15 MS. EGELER: That's fine.

16 A. Well, I would -- I had a -- essentially a custody battle
17 for my children many years ago and some things were said
18 by my ex-wife in there. Many of them were not true.
19 But you can find it in the public record, Kitsap County.
20 Somebody sifted through that and gleaned a couple things
21 like that. You know, I think my son may have appeared
22 kind of rebutting some of that in the article. And I
23 have no -- I mean, when you're accused of these kind of
24 things, there's -- all you can say is, it isn't true,
25 and I leave it at that.

1 Q. (by Ms. Egeler) But you could tell looking at the
2 article that they could have gone to the court record
3 and --

4 A. Well, they said --

5 Q. -- pulled out --

6 A. -- they did.

7 Q. -- accusations --

8 A. Sure.

9 Q. -- from there.

10 A. And I think somebody in the blog said, yeah, good work,
11 buddy, you know. I got -- and he -- I got it out of --
12 I went down to Kitsap County. So they were going
13 through -- rifling through all that stuff, sure. Yeah.

14 MS. EGELER: Okay, I have no further questions.
15 Thank you for coming in today; appreciate it.

16

17 (Whereupon the deposition
18 concluded at 12:07 p.m.)

19

20

21

22

23

24

25

1 CERTIFICATE

2 STATE OF WASHINGTON)
3)
4 COUNTY OF SNOHOMISH)

5 I, the undersigned Notary Public in and for the
6 State of Washington, do hereby certify:

7 That the foregoing is a full, true, and correct
8 transcript of the testimony of the witness named herein,
9 including all objections, motions, and exceptions;

10 That the witness before examination was by me duly
11 sworn to testify truthfully and that the transcript was made
12 available to the witness for reading and signing upon
13 completion of transcription, unless indicated herein that the
14 witness waived signature;

15 That I am not a relative or employee of any party
16 to this action or of any attorney or counsel for said action
17 and that I am not financially interested in the said action
18 or the outcome thereof;

19 That I am sealing the original of this transcript
20 and promptly delivering the same to the ordering attorney.

21 IN WITNESS WHEREOF, I have hereunto set my hand and
22 seal this 2nd day of October, 2010.

23 _____
24 Notary Public in and for the State of Washington
25 residing at Edmonds, Washington.
(Notary expires 3/09/13)
(CCR No. 2699)

L. STICKNEY/SEPTEMBER 22, 2010

TO THE DEPONENT:

PLEASE READ YOUR DEPOSITION CAREFULLY. On this correction sheet, make notes of any errors in the transcript. Then please sign this sheet at the bottom and return it with the notarized affidavit page to Tracey Juran at 21103 80th Avenue West, Suite A, Edmonds, Washington, 98026. If you have any questions about this process, please call me at 425-775-1243.

Page and line

Correction

41/14 "GOING" SHOULD BE "DOING"

50/4 "YINNIE" SHOULD BE "BIENIEK"

66/11 "—" SHOULD BE "LIVING ROOM"

71/16 "—" SHOULD BE "ASK"

73/22 "—" SHOULD BE "INTERNET & PHONE CALLER"

132/1 "EVERETT" SHOULD BE "BELLINGHAM"

139/24 DELETE "JUST"

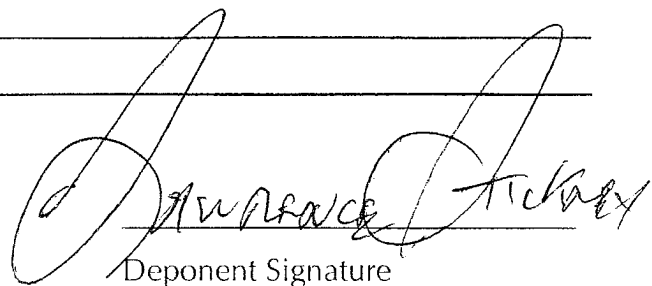

Deponent Signature

Exhibit 1-12

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JOHN DOE #1, an individual; JOHN
DOE #2, an individual; and PROTECT
MARRIAGE WASHINGTON,

Plaintiffs,

v.

SAM REED, in his official capacity
as Secretary of State of Washington;
BRENDA GALARZA, in her official
capacity as Public Records Officer
for the Secretary of State of
Washington,

Defendants.

No. 09-CV-05456-BHS

Deposition Upon Oral Examination
Of

Taken by: Tracey L. Juran, CCR
CCR No. 2699

September 22, 2010

Everett, Washington

Tracey Juran, Certified Court Reporter

1 Be it remembered that the deposition upon oral
2 examination of [REDACTED] was taken on
3 September 22, 2010, at the hour of 1:21 p.m. at 3501
4 Colby Avenue, Suite 200, Everett, Washington, before
5 Tracey L. Juran, CCR, Notary Public in and for the State
6 of Washington residing at Edmonds, Washington.

7 Whereupon the following proceedings were had,
8 to wit:

9 * * * * *

10 [REDACTED], having been first duly sworn on
11 oath by the Notary Public to tell
12 the truth, the whole truth, and
13 nothing but the truth, was deposed
14 and testified as follows:

15 EXAMINATION

16 BY MS. EGELER:

17 Q. [REDACTED], we met out in the hall, but I wanted to repeat
18 again for you, I'm Anne Egeler and I'm with Rob
19 McKenna's office, the Attorney General's Office, for the
20 State.

21 Have you ever been deposed before?

22 A. No.

23 Q. Let me give you a few ground rules that we'll both need
24 to be careful of. One is that we need to make sure we
25 say yes or no instead of head nodding or mm-hms, because
it's difficult for the court reporter to get a good

1 record of what we're saying otherwise.

2 A. Okay.

3 Q. And it's also important for us to wait for each other to
4 finish talking before we begin talking so that we don't
5 overlap on the record.

6 A. Okay.

7 Q. And finally, it's very important that we understand each
8 other. So if I ask you anything that doesn't make sense
9 or you're confused, please let me know and we can make
10 sure that we're both understanding each other. Okay?

11 A. Sounds good.

12 Q. Can you tell me about your current employment.

13 A. I work for the [REDACTED].

14 Q. Excuse me; I didn't hear you.

15 A. [REDACTED].

16 Q. Is that your full-time job?

17 A. Yes.

18 Q. And that's something that you're doing [REDACTED], I
19 assume?

20 A. Well, yeah. [REDACTED].

21 Q. And just for the record, [REDACTED];
22 correct?

23 A. Yes.

24 Q. And what employment did you have in 2009?

25 A. I worked for Protect Marriage Washington.

1 Q. And were you paid for that work?

2 A. Yes.

3 Q. How much were you paid?

4 A. I think it was around \$800 a month.

5 Q. What did you do when you were working for Protect
6 Marriage Washington?

7 A. I did a lotta various things. I picked up literature
8 and signs and went all across the state and distributed
9 materials and things like that. Pretty much anything
10 they needed me to do.

11 Q. Did you have a Referendum 71 bumper sticker on your car?

12 A. I don't even think we had any that I remember.

13 Q. Did you have any Referendum 71 paraphernalia, like
14 T-shirts or hats or anything?

15 A. I don't think we had any of those either.

16 Q. Did you ever gather petition signatures?

17 A. Yes.

18 Q. Where did you do that?

19 A. I did it in Olympia at one point.

20 Q. And do you remember where you were when you did that?

21 A. Oh, yeah, the State Capitol. There was a rally going
22 on.

23 Q. Anywhere else?

24 A. I didn't do a whole lotta that. We had volunteers who
25 did that, and I was pretty much doing things in the

1 Q. Did you attend any public debates about Referendum 71?

2 A. Not that I can recall.

3 Q. Did you go to the Secretary of State's Office and watch
4 the signature-checking process?

5 A. Yes, I did.

6 Q. Did you sign in there?

7 A. Yes.

8 Q. How many days did you go to watch the signature-
9 verification process?

10 A. I think I was there the first day and that's it.

11 Q. And did you ever speak on the radio or television?

12 A. No.

13 Q. Did you ever get into any shots that were shown on the
14 TV that you're aware of?

15 A. Not that I'm aware of.

16 Q. Do you know if your name was ever listed anywhere as
17 being associated with --

18 A. Yes, it was, I remember, in a couple articles, not
19 specifically. It was probably The Seattle Times or The
20 Stranger or something where they talked about [REDACTED]

21 [REDACTED] working on the campaign or [REDACTED]

22 [REDACTED] is working on the campaign. I know
23 it was -- they said son at one time and [REDACTED]
24 another time. I don't remember specifically, but yes,
25 my name was brought up in articles.

1 Q. Were you aware that when you were paid by Protect
2 Marriage Washington, those expenditures were reported to
3 the Public Disclosure Commission?

4 A. Yes.

5 Q. And did you know the Public Disclosure Commission
6 reports are available on-line to the public?

7 A. Yes.

8 Q. Did you know that your name and address were listed
9 there and the amount paid to you?

10 A. I'm not, you know, familiar with all the technicalities,
11 but if -- I'm sure that is.

12 Q. Are you saying that because you're agreeing with my
13 representation or you personally know that to be the
14 case?

15 A. I don't personally know that to be the case, but it
16 seems like that's probably the case.

17 Q. So you're here today because you've been named as a
18 witness in the Doe v. Reed case, and I assume you're
19 aware of that.

20 A. Yes.

21 Q. And my understanding is that you have experienced
22 something that you considered to be threats or
23 harassment as a result of your association with
24 Referendum 71; is that correct?

25 A. Yes.

1 Q. Can you describe each of those incidents to me. We can
2 walk through each one one by one in detail.

3 A. Okay. Personally, I was attacked on-line for the
4 comments I made in The Stranger article. I'm sure you
5 guys have that, since you seemed to know what I was
6 talking about when I mentioned that. You can read what
7 they said about me and they said about my dad.

8 Q. What sort of attacks? What sort of things were said, do
9 you recall?

10 A. Saying that my dad's a bigot and that he should -- you
11 know, things like he should burn in hell, he's an
12 asshole, he -- you know, he's a -- you know, he hates,
13 he's a hater. I don't even -- there's countless things
14 that they said about him. I mean, pretty much any
15 insult you could come up with under the sun they said
16 about him.

17 Q. Did they say anything about you specifically?

18 A. They never said anything about me -- you know, they
19 never said, you know, I am a jerk for working on the
20 campaign or whatever. But they said -- they responded
21 to me, telling me my, you know -- saying my dad's, you
22 know -- a whole lot of nasty things about me and -- or
23 about my dad and about my family. So --

24 Q. And that was in response to the comment that you
25 posted --

1 A. Yeah.

2 Q. -- on The Stranger; correct?

3 A. Yes.

4 Q. Were there any other times that you were attacked on-
5 line?

6 A. No, not to my knowledge.

7 Q. Any other instances of what you considered to be threats
8 or harassment?

9 A. Towards myself?

10 Q. Yes.

11 A. Not personally towards myself, but towards my family and
12 towards my father at all times pretty much throughout
13 the entire campaign.

14 Q. And you talked about the on-line attacks that were made
15 about your dad. Did you witness anything that would be
16 more of a physical attack on your dad at any point?

17 A. Not in that article.

18 Q. I assume you saw on-line in many locations many comments
19 about your dad; is that correct?

20 A. Yes.

21 Q. Did you ever see him -- as opposed to in print, did you
22 ever see anyone in person physically attack your dad?

23 A. Physically attack my dad? No.

24 Q. Yes.

25 Did you ever see anyone physically attacked for

1 their association with Referendum 71?

2 A. No.

3 Q. Did you ever see your dad threatened in person, as
4 opposed to the many things you say were posted on-line?

5 A. Yeah. How about the 20 voice mails we got every night?

6 I mean, that's an exaggeration, but every single night

7 we got some sort of threat over the phone.

8 Q. We'll talk about phone in a minute. We'll definitely --

9 A. Okay.

10 Q. -- get to that. I'll make a note of it.

11 But in person, person to person, did you ever hear
12 someone make a verbal threat in person to your dad?

13 A. No.

14 Q. Did you ever witness any physical or verbal in-person
15 attack on anyone working on Referendum 71?

16 A. Not that I can recall.

17 Q. So let's talk about the phone incidents, then. Can you
18 tell me about that.

19 A. Yeah. I mean, out of the countless voice mails we got
20 threatening my dad, threatening my family, my dad only,
21 you know, chose to let me listen to a few of 'em because
22 there was -- I mean, it was just so nasty, I didn't
23 wanna hear it anyways. It was very upsetting.

24 Q. So you heard a few. Let's walk through those and talk
25 about what you heard.

1 A. Well, I remember one very specifically where this lady
2 was cursing with everything she could -- or every curse
3 under the sun about how -- you know, about my dad, you
4 know, just -- and then went on to say that he's a closet
5 homosexual and that he wants to -- or he probably wants
6 to give fellatio to all of his -- all the people he --
7 or the guys he works with and his bosses and stuff like
8 that. And that one was pretty -- well, I think you get
9 the idea as to how that would make me feel.

10 Q. And the next one? You heard another one; is that
11 correct?

12 A. I mean, it was just always pretty much the same banter,
13 you know, like you're an asshole, you shouldn't be doing
14 this, you -- why do you hate us, why do -- you know,
15 specifically -- you know, specific sentences I haven't
16 recorded in my head, you know, but it was every day.

17 Q. Would you say you listened to more than three of those
18 messages?

19 A. Maybe two to three and I pretty much stopped listening
20 to 'em. I didn't wanna hear 'em anymore.

21 Q. So it sounds like what you heard was foul language,
22 things of a sexual -- frankly, rude nature. Anything
23 else? Is there any category of comments that I'm
24 missing that you remember?

25 A. Not that I was -- nothing that was played for me.

1 Q. Any other threats or harassment of any sort that you
2 witnessed or heard?

3 A. Well, I mean, there was the guy that was calling, you
4 know, death threats for my dad and my family. The FBI
5 investigated him. You have to know about that.

6 Q. Can you tell me about that.

7 A. He was -- I don't remember exactly what he said, but he
8 called for, you know -- he made a death threat on my dad
9 and on my family and -- saying that, you know, he should
10 be killed, basically, for what he's doing.

11 Q. Did you hear the person?

12 A. Well, it wasn't a recording, I don't think. It was just
13 this guy's blog. I forget what his name was.

14 Q. So it wasn't a phone call.

15 A. No, it wasn't a phone call.

16 Q. Was this the blog in Bellingham?

17 A. Yeah.

18 Q. Do you know if your dad contacted the FBI?

19 A. I don't know what happened. I know the FBI got
20 involved. I don't think -- I don't know if we did or
21 did not contact the FBI.

22 Q. And do you know if anyone in your family or if your dad
23 ever contacted the police about any of the threats or
24 harassment?

25 A. I don't know for a fact, no.

1 Q. Anything else? Any other instances that you witnessed?

2 A. No.

3 Q. You said there were threats against your family. Can
4 you tell me about those.

5 A. Well, I think that was the blogger guy.

6 Q. The Bellingham blogger --

7 A. Yeah.

8 Q. -- again? Okay.

9 Other than the Bellingham blogger, do you remember
10 any other threats against your family?

11 A. No, but there was a guy in my front yard taking pictures
12 of my house.

13 Q. Did you see him?

14 A. No. I was not there for that event.

15 Q. You didn't -- you weren't in the yard for that event --

16 A. I was not home.

17 Q. You weren't home.

18 Did your sister tell you about that event or did
19 your father?

20 A. My parents did, yeah. I know my sister was very shook
21 up, though.

22 Q. Do you know of any actions that your family took as a
23 result of that event?

24 A. Yeah. I mean, we had our little -- had my little
25 sisters sleep in the living room because the enclosed

1 space -- the room they lived in, we feared, you know,
2 someone might throw a mazel tov (sic) cocktail through
3 the window or something. We had people taking pictures
4 of our house, clearly our address, I mean, ready to show
5 that to other people who could have done something like
6 that. So we kept 'em in the living room because we
7 thought it would be a safer spot for them. I mean --

8 Q. You said that you had people taking pictures of your
9 house.

10 A. Person. One person.

11 Q. And how do you know they were ready to show the pictures
12 on the Internet?

13 A. Well, I mean, that's what we assumed.

14 Q. So do you know if this individual could have been an
15 appraiser who was taking a photo of your house --

16 A. At night?

17 Q. What time was it?

18 A. I'm pretty sure it was at -- during the night.

19 Q. You don't know what time --

20 A. I don't know.

21 Q. -- this occurred?

22 Do you know if it could have been a burglar, since
23 it was at night?

24 A. No. What --

25 Q. Excuse me?

1 A. Nothing.

2 MS. EGELER: Can you read back that last response.

3 [Record read back as requested]

4 Q. (by Ms. Egeler) Just to clarify, in case you didn't
5 understand, do you know if this person could have had a
6 criminal intent to break into your home and steal or --

7 A. No.

8 Q. -- do something else? Okay.

9 Did you ever see photos of your home posted on the
10 Internet?

11 A. No.

12 Q. Did you look?

13 A. No.

14 Q. How long did your sisters sleep in the living room?

15 A. Few months. It was around two or three months.

16 Q. Do you know of any other instances of threats or
17 harassment related to Referendum 71?

18 A. Specifically, no, I can't remember any at the time.

19 But --

20 MS. EGELER: Okay, I have no further questions.

21

22 EXAMINATION

23 BY MR. DIXSON:

24 Q. [REDACTED], my name's Steve Dixon. I'm an attorney from
25 Spokane, Washington, representing Washington Coalition

1 for Open Government. I have a very few questions.

2 Just to be clear, did you ever sleep in the living
3 room or was it just your sisters?

4 A. I slept in the living room a few times, yeah.

5 Q. And because you felt unsafe or were you instructed to
6 sleep there by --

7 A. I --

8 Q. -- your dad?

9 A. I feared for the safety of my family and so I wanted to
10 watch over them.

11 Q. So you were there more to protect them than for your own
12 safety?

13 A. Correct.

14 Q. But it was main -- but it was your sisters that slept
15 there consistently for --

16 A. Yes.

17 Q. -- two or three months.

18 And did your older brother sleep in the living room
19 as well?

20 A. I don't remember.

21 Q. And other than the -- did you ever receive any phone
22 calls relating to Referendum 71 on your cell phone or at
23 the house?

24 A. Are you talking about threats or just people calling me
25 that worked with me?

1 Q. Threats.

2 A. No.

3 Q. Did you receive any --

4 A. No, I did not.

5 Q. -- threats on the home phone yourself?

6 A. No, I did not.

7 MR. DIXSON: Okay, that's all I have.

8

9

EXAMINATION

10 BY MS. ENGRAV:

11 Q. Good afternoon, [REDACTED]. My name's Rebecca Engrav;
12 I'm an attorney for Washington Families Standing
13 Together. Also just a very few questions.

14 When you were discussing the Bellingham blogger and
15 you said that you were aware that the FBI had
16 investigated that, how did you become aware of the FBI's
17 involvement?

18 A. If I remember right, there may have been an article or
19 two on it. Maybe just through, you know, I mean, living
20 with my family and them informing me of what's going on.

21 Q. So it could be that your father told you about that?

22 A. Yeah.

23 Q. Or it could be that you read it in an article.

24 A. It could be either one. I mean, I don't remember
25 specifically.

1 Q. At the time you were living in the house, that was your
2 normal residence, was at the home?

3 A. Yes.

4 Q. And how many times, approximately, would you say that
5 you slept in the living room?

6 A. Approximately 10 to 20.

7 Q. The other times you slept in your normal bedroom?

8 A. Yeah, which was, you know, right across from the living
9 room. So --

10 MS. ENGRAV: That's all.

11

12 EXAMINATION

13 BY MR. PIDGEON:

14 Q. [REDACTED], I have just a couple of questions. Stephen
15 Pidgeon.

16 Now, at the family home, the girls' bedroom is on
17 the street side of the house; is that right?

18 A. Right.

19 Q. So how far would you say it was from their bedroom
20 window to the curb?

21 A. Twenty feet, maybe.

22 Q. So would you say it was within throwing distance of a
23 Molotov cocktail?

24 A. Absolutely.

25 Q. How about throwing distance of a brick?

1 A. Anything.

2 Q. Anything.

3 Somebody -- is it, in your mind, entirely possible
4 that somebody could throw something out of a car window
5 while driving by and hit the -- and hit that room?

6 A. It's entirely possible.

7 Q. And then the living room is in -- is the living room on
8 the front side of the house or the back side of the
9 house?

10 A. It's in the front side.

11 Q. So how close is the -- so -- but there -- are there
12 windows in the living room --

13 A. Right.

14 Q. -- facing the front yard?

15 A. Yes.

16 Q. But it was farther back from the street than --

17 A. Right.

18 Q. -- the bedroom?

19 A. Yeah.

20 Q. Now, on the -- did your dad ever show you any of the
21 blog sites where some of the threats were being posted?

22 A. Yeah.

23 Q. Can you describe the general tone of what those blog
24 sites were like.

25 A. Very hateful, very -- you know, completely unwilling

1 to -- completely uncivilized. It was just --

2 Q. Well, how many --

3 A. -- threatening and, you know, just -- everything they
4 said was just very -- the opposite of cordial, you know,
5 like they didn't want any debate on the subject. I
6 don't know.

7 Q. And how many of those blog sites did you see?

8 A. I think like two or three.

9 Q. Two or three, okay.

10 A. Sceglia or Bisceglia was one of 'em, the Bellingham
11 blogger. And the other one was the pink -- I forget
12 what it was called.

13 Q. There was some other blog called the pink something --

14 A. No --

15 Q. -- or --

16 A. Yeah, it's like -- that's what I remember. I don't
17 remember specifically.

18 Q. Was there other content on the blog site besides a
19 threat -- the threats or --

20 A. I don't remember.

21 MR. PIDGEON: All right, I have nothing further.

22

23 FURTHER EXAMINATION

24 BY MS. EGELER:

25 Q. [REDACTED], you stated that everything that was said on the

1 CERTIFICATE

2 STATE OF WASHINGTON)
3)
4 COUNTY OF SNOHOMISH)

5 I, the undersigned Notary Public in and for the
6 State of Washington, do hereby certify:

7 That the foregoing is a full, true, and correct
8 transcript of the testimony of the witness named herein,
9 including all objections, motions, and exceptions;

10 That the witness before examination was by me duly
11 sworn to testify truthfully and that the transcript was made
12 available to the witness for reading and signing upon
13 completion of transcription, unless indicated herein that the
14 witness waived signature;

15 That I am not a relative or employee of any party
16 to this action or of any attorney or counsel for said action
17 and that I am not financially interested in the said action
18 or the outcome thereof;

19 That I am sealing the original of this transcript
20 and promptly delivering the same to the ordering attorney.

21 IN WITNESS WHEREOF, I have hereunto set my hand and
22 seal this 3rd day of October, 2010.

23 _____
24 Notary Public in and for the State of Washington
25 residing at Edmonds, Washington.
(Notary expires 3/09/13)
(CCR No. 2699)

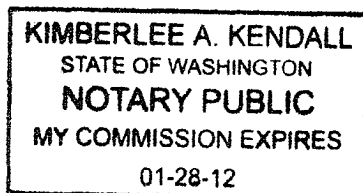
AFFIDAVIT


STATE OF WASHINGTON)
)
)
COUNTY OF SNOHOMISH)

I have read my within deposition and the same is true and accurate except for any changes and/or corrections, if any, as noted by me on the correction sheet hereof.

SUBSCRIBED AND SWORN to before me on this, the

16 day of November, 2010.




NOTARY PUBLIC in and for the State of
Washington residing at Everett
Washington.
Notary expires: 1-28-2012

M. STICKNEY/SEPTEMBER 22, 2010

TO THE DEPONENT:

PLEASE READ YOUR DEPOSITION CAREFULLY. On this correction sheet, make notes of any errors in the transcript. Then please sign this sheet at the bottom and return it with the notarized affidavit page to Tracey Juran at 21103 80th Avenue West, Suite A, Edmonds, Washington, 98026. If you have any questions about this process, please call me at 425-775-1243.

Page and line	Correction
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No charges

Exhibit 1-13

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JOHN DOE #1, an individual; JOHN
DOE #2, an individual; and PROTECT
MARRIAGE WASHINGTON,

Plaintiffs,

v.

SAM REED, in his official capacity
as Secretary of State of Washington;
BRENDA GALARZA, in her official
capacity as Public Records Officer
for the Secretary of State of
Washington,

Defendants.

No. 09-CV-05456-BHS

Deposition Upon Oral Examination
Of

Taken by: Tracey L. Juran, CCR
CCR No. 2699

September 23, 2010
Seattle, Washington

1 Be it remembered that the deposition upon oral
2 examination of [REDACTED] was taken on
3 September 23, 2010, at the hour of 9:23 a.m. at 800
4 Fifth Avenue, Suite 2000, Seattle, Washington, before
5 Tracey L. Juran, CCR, Notary Public in and for the State
6 of Washington residing at Edmonds, Washington.

7 Whereupon the following proceedings were had,
8 to wit:

9 * * * * *

10 [REDACTED], having been first duly sworn on
11 oath by the Notary Public to tell
12 the truth, the whole truth, and
13 nothing but the truth, was
14 deposed and testified as follows:

15 EXAMINATION

16 BY MS. EGELER:

17 Q. Good morning, [REDACTED]. We were talking before we went on
18 the record about the fact that you in a past life had
19 gone to school to be a court reporter, so I assume you
20 have the rules of depositions down, but I'm going to
21 just refresh your recollection. When we are talking
22 today, of course, everything's being taken down, so it
23 will be important that we not speak over each other.
24 And it will also be important that we indicate yes or no
25 verbally rather than with a head nod or mm-hm, which
doesn't really show up on the record. Okay?

1 A. Okay.

2 Q. And, of course, it's important that the transcript be
3 clear and be a fair representation of your testimony, so
4 if anything I ask is confusing or doesn't make sense,
5 please let me know and --

6 A. Okay.

7 Q. -- I can rephrase that for you. Okay?

8 A. Okay.

9 Q. Is [REDACTED] your legal name?

10 A. No.

11 Q. What is your legal name?

12 A. [REDACTED].

13 Q. And where are you currently employed?

14 A. [REDACTED].

15 Q. What do you do there?

16 A. [REDACTED].

17 Q. What are your duties as the [REDACTED]?

18 A. Answering his phone calls, making appointments for him,
19 booking speeches for him, handling all his traveling
20 logistics, helping him write commentary. I do research
21 on current issues so he has facts when he decides to
22 write a commentary.

23 Q. And do you ever go out with him when he speaks to attend
24 the event?

25 A. Occasionally.

1 Q. Would the church Web page have mentioned, if you recall,
2 anything about the petitions or the initiative -- the
3 referendum, rather?

4 A. I do not recall.

5 Q. Other than signing, did you have any -- personally have
6 any activity that you took or engaged in to support the
7 petition?

8 A. No.

9 Q. Did you gather signatures?

10 A. I did not.

11 Q. Did you have a Referendum 71 sign at home in your yard?

12 A. No.

13 Q. Did you tell anyone that you had signed the petition?

14 A. Yes.

15 Q. Who did you talk to about that?

16 A. Family, my brothers.

17 Q. Did you ever attend any rallies or events for
18 Referendum 71?

19 A. No.

20 Q. Did you ever hold a Referendum 71 sign publicly?

21 A. No.

22 Q. And did you support Referendum 71 in any way we haven't
23 discussed?

24 A. No.

25 Q. Did the church, to your knowledge, organize any events

1 or rallies regarding Referendum 71?

2 A. No.

3 Q. Does the church get involved in election issues?

4 A. Occasionally we publish a voters' pamphlet -- we don't
5 publish a voters' pamphlet; excuse me. We acquire a
6 voters' pamphlet and distribute it -- have it available
7 at services.

8 Q. And where do you acquire the voters' pamphlet?

9 A. In the past, we've acquired one from Christian Coalition
10 of Washington and one other organization, and I cannot
11 remember the organization right now.

12 Q. Do you remember if that was done with respect to the
13 November 2009 election?

14 A. Yes, I believe it was.

15 Q. And do you know where that voters' pamphlet came from
16 for the November 2009 election?

17 A. It was either the Family Research Council or the
18 Christian Coalition of Washington. But I believe it was
19 the Christian Coalition of Washington because it --
20 that's a more local resource.

21 Q. Do you recall whether that voters' pamphlet made any
22 recommendations with regard to Referendum 71?

23 A. No.

24 Q. No, you don't recall?

25 A. I don't recall that it made any recommendation on --

1 Q. So --

2 A. -- any of the issues.

3 Q. So it may or may not have.

4 A. I believe it did not make any recommendation.

5 Q. Have you personally experienced anything that you would
6 consider a threat or harassment or reprisals as a result
7 of signing Referendum 71?

8 A. As a result of signing it?

9 Q. Yes. I'm just asking --

10 A. No. No.

11 Q. So no, nothing as a result of you personally signing --

12 A. Correct.

13 Q. And do you know what you're being called upon to testify
14 about?

15 A. Whether I had experienced any harassment of any sort
16 surrounding the R-71 issue directly or indirectly.

17 Q. Let's now go through every incident -- every single
18 incident, phone call, et cetera, that you found to be a
19 threat or harassment surrounding Referendum 71.

20 A. Okay.

21 Q. So I don't know where to start because I don't know your
22 story. So if you can just toss out the first one, we'll
23 explore that.

24 A. As a result of our support of Referendum 71 --

25 Q. And by --

1 A. -- our public support --

2 Q. -- our -- by our, do you mean --

3 A. [REDACTED] --

4 Q. -- the church?

5 A. -- [REDACTED], yes.

6 -- we would receive phone calls.

7 Q. And this was phone calls at the church offices?

8 A. At the church office, yeah. Came through the
9 receptionist asking for -- to talk to [REDACTED], and since I
10 take all of his phone calls, I would get those calls.
11 Every time -- almost every time he appears in print or
12 [REDACTED] appears in print, the phone calls
13 follow the next day.

14 Q. So for example, when he appeared at the mayday
15 marriage -- Mayday for Marriage rally at Safeco Field,
16 did you receive any phone calls after that?

17 A. Yes.

18 Q. And what was the tone of those phone calls?

19 A. He needs to shut up. Your church needs to shut up or
20 we're going to take you down. We'll come to your church
21 and we'll come to your church office, which is at a
22 different location, and we will shut you down.

23 Q. And after receiving those phone calls following the
24 Mayday for Marriage rally, did anyone come to the church
25 office?

1 A. No.

2 Q. After taking a position with regard to Microsoft's
3 employment policies with respect to homosexual
4 employees, did the church receive any phone calls?

5 A. Yes.

6 Q. And my memory -- and please correct me if I'm wrong --
7 is that [REDACTED] took a position both in the news media and
8 appeared at a Microsoft shareholders' meeting.

9 A. Correct.

10 Q. And what sort of phone calls were received after that?

11 A. Same tenor, same tone.

12 Q. Did anyone actually come to the church offices?

13 A. No. However, someone did -- some -- a group of
14 individuals did come to our Sunday service.

15 Q. And that was after the Microsoft --

16 A. Yes.

17 Q. A group came to the church office? No.

18 A. To the church building where we hold services.

19 Q. To --

20 A. They came to the service and they sat in the service.

21 Q. Can you tell me about that group?

22 A. I wasn't there, so I'm not the best person to tell you.

23 Q. Did you hear how many people it was?

24 A. No.

25 Q. Are members of the public welcome to come to services?

1 A. Absolutely.

2 Q. So were these people welcomed to come and listen?

3 A. Absolutely.

4 Q. And to your knowledge, did they respectfully listen?

5 A. I don't know.

6 Q. And is [REDACTED] the only pastor that preaches
7 at the church?

8 A. No. He's the main pastor, but we do have 13 other
9 pastors who occasionally preach.

10 Q. It sounds like a very large church. How many
11 parishioners?

12 A. On a typical Sunday, we'll have 900 to a thousand
13 people. However, a much larger group call it their
14 church home.

15 Q. Do you know approximately how many?

16 A. I would say around 2,000.

17 Q. Do you know if [REDACTED] was preaching the Sunday that the
18 group came?

19 A. Yes, he was.

20 Q. Did anything else happen following the Microsoft
21 activities?

22 A. No.

23 Q. And there was also an event at a -- I believe it was a
24 King County high school. Can you correct me?

25 A. Mount Si High School in the town of Snoqualmie.

1 Q. Can you explain what happened there, what that event was
2 about.

3 A. [REDACTED] children go to that school. And they dedicate a
4 day to the Day of Silence every year, which -- during
5 the school day, some of the students and some of the
6 teachers, I understand, vow -- take a vow of silence in
7 support of harassment of homosexuals.

8 Q. Or, rather, in support of not harassing --

9 A. Correct.

10 Q. -- homosexuals?

11 A. Yeah, yeah, yeah.

12 MR. PIDGEON: Objection to the form of the
13 question.

14 But go ahead and answer.

15 A. And [REDACTED] had met with the principal of the
16 school inquiring as to why this event is being held
17 during school hours and not before and after school or
18 during lunch break and decided that we would form a
19 rally protesting the Day of Silence in April of '08.
20 Yes, it was April of '08. So a group of [REDACTED] people,
21 myself included, went to the school and stood outside in
22 protest of the Day of Silence, which was going on inside
23 the school.

24 Q. (by Ms. Egeler) And do you know approximately how many
25 people were there with the church?

1 A. I would say 150.

2 Q. And do you recall [REDACTED] having a bullhorn or
3 megaphone with him?

4 A. Yes.

5 Q. And do you recall what time of day this was?

6 A. I believe it was 10:00 in the morning, 10:00 a.m.

7 Q. Were any of the students or teachers that were
8 participating in the Day of Silence outside the school
9 while the church was there?

10 A. I don't know. I would not be able to identify those
11 people. We purposely made it later in the morning so
12 that all the children would be already in the school and
13 school would be underway so we wouldn't interfere with
14 their coming and going.

15 Q. Was there any visible group outside the school that was
16 in support of the Day of Silence, whether it was
17 teachers, parents, community members, anyone?

18 A. Oh, yes.

19 Q. And what were they doing?

20 A. Talking, visiting.

21 Q. And do you remember approximately how many people there
22 were on that side of the issue?

23 A. In support of the Day of Silence?

24 Q. Yes.

25 A. Oh, my goodness. I would say an equal number, a hundred

1 to 150.

2 Q. And did things remain respectful on both sides of that
3 issue during the time that both groups were there for
4 and against the Day of Silence?

5 A. I would say no.

6 Q. What did you hear or see?

7 A. Shouting. [REDACTED] will be bringing in a
8 photograph this afternoon that I found of one person
9 holding a sign up to his head that said, "Throw Rocks
10 Here." He'll have -- it was published in [REDACTED]
11 [REDACTED] -- I think it was [REDACTED] -- and he'll
12 be bringing that with him this afternoon.

13 Q. Did anyone throw rocks?

14 A. No.

15 Q. Did anyone throw anything?

16 A. No.

17 Q. Do you remember what was shouted?

18 A. Gosh. It was unintelligible, really. I can't tell you.

19 Q. Was there any physical violence between the two groups?

20 A. No.

21 Q. Was anybody with the church shouting back at this group?

22 A. No.

23 Q. Was anyone from the church holding a sign?

24 A. I didn't see any signs from our group. I did not see
25 any signs.

1 Q. Do you recall what, if anything, the pastor was saying
2 into the bullhorn?

3 A. I don't recall what he said.

4 Q. Was he speaking into the bullhorn to the --

5 A. Yes.

6 Q. -- group?

7 A. Yes.

8 Q. Was there any chanting done by either group?

9 A. Not that I recall.

10 Q. And did the church receive any negative feedback or
11 phone calls following that --

12 A. Oh, yes.

13 Q. -- day?

14 A. Yes.

15 Q. Can you describe that for me.

16 A. It's the same type of information that's conveyed to me,
17 that if the N word doesn't shut up, we will shut him
18 down. I don't -- I haven't told [REDACTED] -- I've only told
19 [REDACTED] a fraction of what's been said in those phone
20 calls, because I don't -- he doesn't need to hear what
21 people are saying about him.

22 Q. And was physical violence threatened in those phone
23 calls?

24 A. What does, we will shut you down, mean? I don't know
25 what that means to them, to the people making the phone

1 calls.

2 Q. Did they do anything further to shut him down?

3 A. There was an incident in June -- excuse me; in April of
4 '09 where [REDACTED] held a conference, a
5 week -- a two-day conference, and we used [REDACTED]
6 [REDACTED] as the location for our
7 conference. And [REDACTED], of course, was one of the
8 speakers at the conference.

9 And we monitored the blogs out there -- some of our
10 high-school- and college-age students monitor the
11 blogs -- and there was word out there in the blogs that
12 they were gonna do damage to [REDACTED]
13 because [REDACTED] was speaking there, and they did.

14 Q. What did they do?

15 A. To my knowledge, they put glue -- they poured glue in
16 the locks. You would have to ask [REDACTED], who's
17 the senior pastor of [REDACTED], the extent
18 of the damage that was done to their facility.

19 Q. Can you tell me again that name. I didn't catch that.

20 A. [REDACTED].

21 Q. [REDACTED].

22 A. Yeah.

23 Q. And he's the pastor there at [REDACTED].

24 A. Correct.

25 Q. Anything else?

1 A. I think that's it.

2 Q. At any time throughout the pastor's events expressing an
3 opinion on homosexuality, has there been any damage to
4 your church?

5 A. No.

6 Q. Other than the event following the Microsoft issue when
7 a group came to attend the church, have any other groups
8 or individuals that are hostile to the pastor come to
9 services?

10 A. No.

11 Q. Do you recall whether the -- or do you know if the blogs
12 that were talking about going to the [REDACTED]
13 were talking about anger with any specific event that
14 the pastor had spoken at or --

15 A. It was more anger at his public position. And the
16 reason I say that is because the blogs such as the Slog,
17 which is The Stranger blog, and Pam's House Blend is
18 another blog, are dedicated.

19 Q. Any other blogs that you can remember?

20 A. No.

21 Q. Do you recall any harassment or what you would consider
22 to be harassment or threats with relation to the
23 pastor's position on Referendum 71?

24 A. During the signature-gathering period, which was the
25 spring and summer of '09, that -- I believe it was June,

1 I received a phone call from a person saying they were
2 going to kill him. So I called the [REDACTED]
3 [REDACTED], because we are located within the city of
4 [REDACTED], and they dispatched two officers, who came out,
5 took a report, and listened to the recorded phone
6 message.

7 Q. Do you know the police-report number?

8 A. I don't.

9 Q. Did you keep a copy of the police report?

10 A. No.

11 Q. Do you remember the officers' names?

12 A. No, but I think I could find out fairly easily.

13 Q. If you could produce that when you produce the --

14 A. Okay.

15 Q. -- the Emails as evidence of threats or harassment --

16 A. Okay.

17 Q. -- that were experienced, that would be great.

18 Okay, so the officers came out, and it sounds like
19 you had the call recorded.

20 A. Yes.

21 Q. So was this a call that was on the church's voice mail?

22 A. It was on my voice mail. The receptionist had put the
23 call through to me and left -- this person left a
24 message on my voice mail.

25 Q. And this was your voice mail at the church office.

1 A. Correct.

2 Q. Was there a telephone number that was recorded by your
3 phone system?

4 A. No. I tried, you know, the star 69 function, but it
5 doesn't work when you send a number to an extension.
6 And the receptionist had already received numerous calls
7 after that, was not able to capture that phone number.

8 Q. And the person said that they were going to --

9 A. Kill.

10 Q. Kill the pastor specifically?

11 A. Yes.

12 Q. And did they say anything about Referendum 71?

13 A. No.

14 Q. How do you know that they were talking about
15 Referendum 71 instead of the day at Mount Si or
16 statements that [REDACTED] has taken in the newspapers, et
17 cetera?

18 A. Because only a day before, there had been an article in
19 [REDACTED] about our support of Referendum 71.

20 Q. And did the caller talk about that newspaper article?

21 A. No.

22 Q. How do you know they saw it?

23 A. I don't know that they saw it. But I do know that it
24 has to be surrounding our position on traditional
25 marriage.

1 Q. Is it that it has to be or --

2 A. Most --

3 Q. -- you think --

4 A. -- likely.

5 Q. So you're saying you think it's a reasonable assumption,
6 but you don't know for certain.

7 A. Of course not, yeah. Yeah, it's a reasonable assumption
8 to make.

9 Q. So what did the [REDACTED] do after listening to the
10 message?

11 A. They said keep them posted, let them know if we heard
12 any more from anyone like that. One of the police
13 officers gave me his card. I don't believe I still have
14 that. I had no idea I would end up here today and that
15 all of these details would be important.

16 Q. I understand.

17 And did the police say whether they would be able
18 to find this person, given that there was no phone
19 number?

20 A. They didn't offer any hope of being able to determine
21 who it was.

22 Q. Did you feel they were doing their best under the
23 circumstances?

24 A. Absolutely.

25 Q. And do you have a positive opinion generally of the

1 [REDACTED]?

2 A. Oh, yes.

3 Q. Did you receive any more calls?

4 A. Every time [REDACTED] name appears in the newspaper, I get
5 phone calls.

6 Q. Was this call that we just discussed the first time
7 anyone had called and made what you would consider to be
8 a death threat?

9 A. Yes.

10 Q. Is it the first time anyone had made a threat of
11 physical attack other than saying that they were going
12 to shut the pastor down?

13 A. That's it.

14 Q. Do you know if you received any more calls from that
15 individual?

16 A. I don't believe so.

17 Q. And with respect to the time period that Referendum 71
18 petitions were being signed, that spring and summer of
19 '09 that you referred to, were there any other phone
20 calls that were standouts to you?

21 A. Yes. There was one phone call shortly after the story
22 broke that [REDACTED] has bone cancer. I got a call
23 that said -- an individual said they hoped that the
24 brain -- the cancer goes to his brain and eats his
25 brain. And I never told him that, obviously.

1 homosexuality is a sin?

2 A. Correct.

3 Q. And has he made such statements publicly other than
4 during church services?

5 A. Via the passage of Scripture in Romans, he's reiterated
6 that.

7 Q. At public events?

8 A. Yes, yes.

9 Q. Outside of the church walls themselves?

10 A. Yes.

11 Q. And has he made statements about homosexuality being
12 contrary to the Scriptures --

13 A. Yes.

14 Q. -- in newspaper articles?

15 A. Yes.

16 MS. EGELER: Okay, I have no further questions.

17 THE WITNESS: Okay.

18 MS. FIELDS: I have some questions. May I?

19 MS. EGELER: Absolutely.

20

21 EXAMINATION

22 BY MS. FIELDS:

23 Q. So again, my name's Penny Fields. I represent -- I'm
24 here on behalf of Washington Families Standing Together,
25 an intervenor in this case.

1 A. -- during school time.

2 Q. Maybe I misunderstand. I -- my understanding is, the
3 Day of Silence is an activity protesting harassment of
4 gay and lesbian and transgender students. Have I got
5 that wrong?

6 A. You've got that right.

7 Q. And your rally at Mount Si was protesting the Day of
8 Silence.

9 A. Correct.

10 Q. So isn't it fair to say that your rally was against
11 standing up -- standing against harassment against gay
12 and lesbian students? I mean, are you saying that
13 your --

14 MR. PIDGEON: Objection as to form.

15 Q. (by Ms. Fields) Would you -- is it fair to say that
16 your church thinks that harassing gay and lesbian
17 students in school is okay?

18 A. Of course not. No one should be harassed. But there
19 should not be a special day set aside to introduce
20 children to the homosexual lifestyle during school
21 hours, which is basically what it is under the guise of
22 preventing harassment.

23 Q. So my final question is, you said that since the
24 election, you haven't experienced any more phone calls
25 or anything that you would consider to be harassment

1 related to Referendum 71 --

2 A. Correct.

3 Q. -- is that correct?

4 So are you today in any way fearful of being
5 harassed personally regarding Referendum 71?

6 A. No, not fearful.

7 MS. FIELDS: I have no more questions. Thank you.

8 THE WITNESS: You're welcome.

9 MS. EGELER: Mr. Dixson, did you have any
10 questions?

11 MR. DIXSON: I do, and I understand the inherent
12 difficulty. So I think I have three, maybe four, and
13 I'll try to make it brief.

14

15 EXAMINATION

16 BY MR. DIXSON:

17 Q. [REDACTED], my name is Steve Dixson. I'm participating
18 via telephone from Spokane. I'm an attorney that
19 represents the Washington Coalition for Open Government
20 and I have just a couple of very quick questions.

21 The first is regarding the Microsoft stance of the
22 church and [REDACTED]. When, approximately, did that
23 take place?

24 A. I believe it was 2007 at their annual stockholders'
25 meeting.

1 Q. And do you -- I could probably find that, but do you
2 happen to recall the season or the month?

3 A. I believe it was January or February.

4 Q. Was there media coverage of [REDACTED] attendance
5 and participation at the stockholders' meeting?

6 A. Yes.

7 Q. Was that television, newspaper, both?

8 A. Both.

9 Q. You've testified that following public appearances, you
10 receive phone calls on the church phone line. I'm
11 wondering in rough numbers about the volume of phone
12 calls. Would you say it's five to ten, a dozen, or more
13 per each appearance in the print media or public media?

14 A. I would say five to ten.

15 Q. Is that pretty consistent per incident?

16 A. Yes.

17 Q. And finally, just to be clear, the harassment that
18 you've experienced has been via those phone calls, but
19 none has been personally directed at you; is that
20 correct?

21 A. Well, that is not correct. I was told by one caller
22 that they would come to our church and they would come
23 to our office and they would take us down. So I'm one
24 of them. I guess I'm part of the us.

25 Q. So a particular caller stated that they would come to

1 the church and specifically come to the church office
2 and take you down.

3 A. Correct.

4 Q. And that was following the Microsoft appearance; am I
5 correct?

6 A. No.

7 Q. What incident was that related to?

8 A. That was related to the publicity we received for
9 supporting Referendum 71.

10 Q. So that was sometime in the spring or summer of 2009,
11 that particular phone call?

12 A. Correct.

13 MR. DIXSON: Okay, that's all I have.

14 MR. PIDGEON: Okay.

15

16 EXAMINATION

17 BY MR. PIDGEON:

18 Q. I have some follow-up --

19 A. Okay.

20 Q. -- questions.

21 How are you doing?

22 A. Good.

23 Q. Just to get a little more background on [REDACTED], you and
24 I had discussed earlier that [REDACTED] runs a men's group
25 called [REDACTED] --

1 A. Correct.

2 Q. -- is that correct?

3 And what do you know about [REDACTED]?

4 A. It's a men's Bible study.

5 Q. And what about [REDACTED] background? What did he do
6 before he was a pastor?

7 A. He was a [REDACTED].

8 Q. So he [REDACTED].

9 A. Correct.

10 Q. As a professional.

11 A. Correct.

12 Q. And so as a general rule, he was -- and do you know, did
13 he [REDACTED]?

14 A. [REDACTED], whatever that means.

15 Q. That's [REDACTED].

16 A. Okay.

17 Q. So he was a [REDACTED], and so typically [REDACTED] are
18 large, fast, and strong. Would that be a fair summary
19 of [REDACTED]?

20 A. He is large, strong, and slow.

21 Q. He's not fast anymore.

22 A. No.

23 Q. Too many [REDACTED], yeah.

24 But suffice it to say that he does have -- does he
25 have a reputation among the men at the church of being a

1 man's man?

2 A. Yes.

3 Q. And does he encourage other men in the church to be men?

4 A. Yes.

5 Q. So somebody who would -- if there was somebody making a
6 physical threat against a church, they would not have an
7 expectation that the men at [REDACTED] were wimpy.

8 A. That is correct.

9 Q. Would you say that that may have something to do with
10 the fact that none of these threats have actually been
11 carried out?

12 A. I don't know the reason why the threats haven't been
13 carried out. That certainly could be a reason.

14 Q. But the threats that were made against [REDACTED]
15 were carried out.

16 A. That is correct.

17 Q. Now, when you say you are not fearful but cautious, what
18 kind of cautious steps do you take at the church office?

19 A. I keep the door locked when I'm there alone. I watch
20 who follows me into the parking lot if anyone follows me
21 into the parking lot.

22 Q. Do you have a security system at the church office?

23 A. We do not. We -- not in this particular office.
24 Heretofore we have always had a security system.

25 Q. Just recently have you changed offices?

1 MR. PIDGEON: Okay.

2 MS. EGELER: Waiting for the next in the series.

3 MR. PIDGEON: Okay.

4 Q. (by Mr. Pidgeon) So when you signed the petition -- at
5 the time you signed the petition, it's safe to say that
6 you had no knowledge about the disclosure process of
7 names and addresses through the Secretary of State's
8 Office; is that true?

9 A. That's true.

10 Q. Did you know at the time you signed the petition that
11 the Secretary of State would amass names and addresses
12 of all the petition signers onto a single file and
13 disclose it to whoever asked?

14 MS. EGELER: Objection; leading.

15 A. I did not know.

16 Q. (by Mr. Pidgeon) Would you have signed the petition if
17 you had known that your name was going to be grouped
18 with all the other signers and given to look, for lack
19 of a better term, militant homosexual groups that wanted
20 to use your name for purposes of inconvenient
21 conversations --

22 MS. EGELER: Objection --

23 Q. (by Mr. Pidgeon) -- when you signed the petition?

24 MS. EGELER: Objection; assumes facts not --

25 A. Yes.

1 MS. EGELER: -- in evidence.

2 Q. (by Mr. Pidgeon) You would have signed?

3 A. I would have signed.

4 Q. Even if you'd known that that was going to be the case.

5 A. Yes.

6 Q. Were you aware of the organization whosigned.org at the
7 time you signed the petition?

8 A. No.

9 Q. Were you aware of Know Thy Neighbor at the time you
10 signed the petition?

11 A. No.

12 Q. Were you aware of the level of violence that had been
13 perpetrated in California surrounding Proposition 8 at
14 the time you signed the petition?

15 MS. EGELER: Object to the characterization.

16 A. I heard stories.

17 Q. (by Mr. Pidgeon) You've heard stories about
18 Proposition 8?

19 A. Yes.

20 Q. Can you tell us some of the stories that you heard about
21 Proposition 8.

22 A. That people had experienced violence, retaliation. I
23 don't know specifics of the retaliation.

24 Q. Did you know whether or not Christians were experiencing
25 retaliation?

1 A. I don't know they were specifically Christians. I don't
2 recall that.

3 Q. Now, going back to this history of the phone calls, I
4 need you to be much more specific. I know that you
5 haven't told [REDACTED] these things, but I need you
6 to be more specific and tell us the language of these
7 phone calls, okay? You mentioned, for instance, that in
8 many phone calls they were using the N word.

9 A. Correct.

10 Q. Can you be explicit. What do you mean by the N word?

11 A. Calling him a nigger.

12 Q. Did that happen a lot?

13 MS. FIELDS: Objection; form of the question.

14 A. Maybe three to five times.

15 Q. (by Mr. Pidgeon) And was it the same person that was
16 doing this, in your opinion?

17 A. It's very difficult to tell. Some voices I would
18 recognize, some I would not.

19 Q. So in some of these phone calls, they were repeat phone
20 calls? I mean, you were getting -- were you getting a
21 phone call following each event from a similar person?

22 A. Correct.

23 Q. And did their phone calls come in like clockwork? I
24 mean, if you had something published, did they call the
25 following day?

1 A. Sometimes that's how I knew something had been
2 published, is because phone -- I would get phone calls.
3 And then I would search the Internet for the latest
4 story about [REDACTED] or our church.

5 Q. So tell me more about this pattern. You would get phone
6 calls following some publication of his name and then
7 would they die off pretty --

8 A. Yes.

9 Q. -- quickly?

10 A. Yes.

11 Q. So you wouldn't get -- so did you have somebody call you
12 every week or was it just in a short period of time
13 following the release of his name?

14 A. Within a day or two of the release of his name.

15 Q. So can you say it is safe to draw a correlation of
16 proximity to the article to say that the article was
17 published and then we got the calls? Is that --

18 MS. EGELER: Objection; leading the witness.

19 A. That is correct. Our receptionist would say, [REDACTED] must
20 have been in the paper, or -- oh, it was -- it's a joke.
21 [REDACTED] must have been in the paper again, because the
22 phone calls would start the minute we opened the phone
23 lines at 9:00 in the morning.

24 Q. (by Mr. Pidgeon) Now, to your knowledge, is one of the
25 methods used to destroy a pastor in a church trying to

1 find a sexual scandal on the pastor?

2 A. Yes.

3 Q. Have you seen other pastors in this community go down
4 because of sexual scandal?

5 A. Yes. Actually, yes, I do.

6 Q. And to your knowledge, has anybody ever tried to go
7 after [REDACTED] to dig up a sexual scandal on him?

8 A. [REDACTED] reports that there is someone who has offered a
9 bounty. This is what [REDACTED] -- I have no direct evidence
10 myself other than what he's said. There is a bounty
11 available to anyone who can find anything improper about
12 his life.

13 Q. Do you know how big this bounty is?

14 A. I think it's a million dollars.

15 Q. Do you know who's planning on paying this million-dollar
16 bounty?

17 A. I do not, but I'm certain he does.

18 Q. And do you know how long this bounty has been in place?

19 A. I don't know. At least during my three years at the
20 church office.

21 Q. Now, you talked a little bit about the death threat that
22 came in over the phone line. Was that -- was there a
23 transcription made of that death threat?

24 A. No.

25 Q. Do you know if the police report contained the operative

1 terms of the death threat?

2 A. I didn't see it. They actually never showed me the
3 report. But I would assume that it was -- included the
4 verbatim message.

5 Q. And again, was this death threat in that same proximal
6 period of the newspaper article being released and then
7 the phone call came in?

8 A. Yes.

9 Q. And that proximal relationship was proximal to the story
10 in [REDACTED] about [REDACTED] supporting R-71?

11 A. Yes.

12 Q. And did you take that -- you took that phone call; is
13 that correct?

14 A. Correct.

15 Q. Now, did you recognize the voice?

16 A. I did not.

17 Q. So this was a new voice, then.

18 A. Or one that I just didn't recognize.

19 Q. Now, did you have a chance to look at the -- some of the
20 blog stuff that was put up on The Stranger?

21 A. Yes.

22 Q. Did you look at the news articles on The Stranger?

23 A. Yes.

24 Q. Did they identify [REDACTED] or [REDACTED] negatively in
25 any of those articles?

1 A. Oh, yes.

2 Q. Can you remember some of the things that were said in
3 The Stranger?

4 A. Oh, my goodness. That he's a hatermonger, we're
5 hatermongers. Basically calling us haters.

6 Q. Now, in your opinion, your personal opinion, is the use
7 of the N word typical of people who are tolerant and
8 filled with the loving kindness of God?

9 A. No.

10 Q. Yeah, I just wanted to get your opinion on that.

11 Now, what about Pam's House Blend? Did you get a
12 chance to read any of the information on this site?

13 A. I did. I have.

14 Q. And did they make any reference to [REDACTED] or [REDACTED]
15 [REDACTED]?

16 A. Yes.

17 Q. What kinds of things were being said?

18 A. That he, again, is a hatermonger; our church are
19 shortsighted, unloving hatermongers; that his cancer --
20 Pam tends to focus on his cancer issue -- that he --
21 this is -- God's way of stopping him is taking him out
22 of the picture by killing him with cancer and it can't
23 happen too soon and there is justice -- there will be
24 justice for same-sex couples once [REDACTED] is dead; that
25 he's evil; that we're all evil, [REDACTED] is

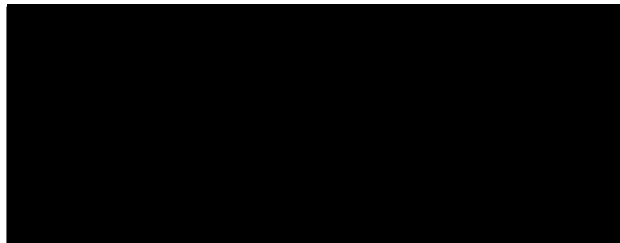
AFFIDAVIT

STATE OF WASHINGTON)

)

COUNTY OF KING)

I have read my within deposition and the same is true and accurate except for any changes and/or corrections, if any, as noted by me on the correction sheet hereof.



SUBSCRIBED AND SWORN to before me on this, the

27th day of October, 2010.

A handwritten signature of the Notary Public, consisting of stylized initials.

NOTARY PUBLIC in and for the State of
Washington residing at Redmond,
Washington.

Notary expires: 6/23/13

Exhibit 1-14

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JOHN DOE #1, an individual; JOHN
DOE #2, an individual; and PROTECT
MARRIAGE WASHINGTON,

Plaintiffs,

v.

SAM REED, in his official capacity
as Secretary of State of Washington;
BRENDA GALARZA, in her official
capacity as Public Records Officer
for the Secretary of State of
Washington,

Defendants.

No. 09-CV-05456-BHS

Deposition Upon Oral Examination
Of

[REDACTED]

Taken by: Tracey L. Juran, CCR
CCR No. 2699

September 23, 2010
Seattle, Washington

1 Be it remembered that the deposition upon oral
2 examination of [REDACTED] was taken on
3 September 23, 2010, at the hour of 12:36 p.m. at 800
4 Fifth Avenue, Suite 2000, Seattle, Washington, before
5 Tracey L. Juran, CCR, Notary Public in and for the State
6 of Washington residing at Edmonds, Washington.

7 Whereupon the following proceedings were had,
8 to wit:

9 * * * * *

10 [REDACTED], having been first duly sworn on
11 oath by the Notary Public to
12 tell the truth, the whole
13 truth, and nothing but the
14 truth, was deposed and
15 testified as follows:

16 EXAMINATION

17 BY MS. EGELER:

18 Q. [REDACTED], as I stated to you before we went on
19 the record, my name's Anne Egeler and I represent the
20 Attorney General -- excuse me. I'm with the Attorney
21 General's Office and I'm representing Secretary of State
22 Sam Reed --

23 A. Mm-hm.

24 Q. -- the defendants in the case.

25 And I wanted to start by asking, have you ever been
deposed before?

A. No, I don't think so. I think this first time. I'm

1 really surprised with the life I live.

2 Q. Well, I'll give you a few basic rules. Everything we
3 say is being taken down today by our court --

4 A. Mm-hm.

5 Q. -- reporter, so it's really important for us to make her
6 life easy --

7 A. Yeah.

8 Q. -- so that we get an accurate record. And the way that
9 we can do that is by waiting for each other to finish
10 speaking --

11 A. Mm-hm.

12 Q. -- before the next person starts to speak. And whenever
13 you want to indicate a yes or a no, if you could
14 please --

15 A. Mm-hm.

16 Q. -- do that verbally, because head nods and mm-hms don't
17 show up on the record.

18 A. Right.

19 Q. And it's also important that we understand each other.
20 So if I ask anything that's just not clear or doesn't
21 make sense, please stop me and ask me to rephrase that.

22 A. Okay, I will. I have no problem with that.

23 Q. And is there any reason you wouldn't be able to testify
24 fully today?

25 A. No. I'm glad I could be here.

1 Q. Well, let's get started, then.

2 Would you please state your current employment.

3 A. Yes. I'm [REDACTED] at [REDACTED] in
4 [REDACTED].

5 Q. And how long have you held that position?

6 A. I'm going on -- October'll be 26 years.

7 Q. Wow, okay.

8 And have you been told that you were named as a
9 witness in the Doe v. Reed case?

10 A. Yes.

11 Q. Did you know that that may require you to publicly
12 testify in a federal court?

13 A. That's why I agreed to do it, yes.

14 Q. And were you asked if you had any concerns or -- about
15 publicly testifying?

16 A. No, I don't have any. I'm in the public's eye all the
17 time.

18 Q. And when did you first learn that you were going to be a
19 witness in this case?

20 A. Wow, I think back now when we (indicating) talked on the
21 phone, I think. It's been a couple months. Yeah, about
22 60 days or so, two months.

23 Q. And who told you that?

24 A. My lawyer friend here (indicating).

25 Q. So Mr. Pidgeon in the room here.

1 I think that issue then -- it's been so many years back.
2 The issue then was working on minority status, making
3 the homosexual community a minority status. And so
4 that's how I really got involved with the legislative
5 aspect of it and down in Olympia.

6 And when we got there, there was a -- there was
7 several representatives from Microsoft that was trying
8 to get the law passed, and that's how I got involved
9 even with the fight with Microsoft.

10 Q. Let's talk about that fight with Microsoft. Can you
11 describe that for me.

12 A. In words? In words, probably a little bit more
13 difficult than in emotion.

14 What happened was that we had so many people in our
15 church that work for Microsoft, and I knew Microsoft
16 policies for years towards the homosexual community.
17 Fine with us. It was their right, it was their
18 business, and that any way they wanted to treat their
19 workers was their choice. Well, when we got down to
20 Olympia, all of a sudden their decision on how they was
21 treating the homosexuals in their business became how
22 they wanted the State to treat homosexuals, and they was
23 there giving testimony why this law should be passed.

24 And that's when I said, I think we're overstepping.
25 Long as you wanna keep that issue inside your four

1 walls, it's fine with me. When you try to push your
2 decision and your laws on me as a pastor and as a
3 Christian, I got problems with it, especially when you
4 step in the state. And so that's when I met with
5 Microsoft. And we had several meetings and I got them
6 to back off and take a neutral position in that fight
7 that year.

8 Q. So do you have an opinion about whether corporations
9 should be able to lobby the government for different
10 laws being passed or not passed?

11 A. I think corporation can lobby the government for
12 anything they want if they're willing to defend it and
13 be challenged on it.

14 Q. So --

15 A. Because they have the right to do that. I have the
16 right to challenge that.

17 Q. So you weren't objecting to Microsoft lobbying on the
18 issue.

19 A. Never. I never asked them to fire their
20 representatives, I never asked them to change their
21 policies inside their four walls. The issue was, when
22 you start pushing issues that's Biblically where I stand
23 as a pastor on me, you know, pass laws that I have to
24 submit to when the Bible says I shouldn't, then we have
25 a problem.

1 Q. And that bill that you were referring to being an issue,
2 do you remember what that --

3 A. Oh, my goodness.

4 Q. -- bill was?

5 A. I could not say, it has been so long ago. But it was in
6 every major newspaper all over the world, so it won't be
7 hard to find out.

8 Q. And were you in newspapers connected with that issue?

9 A. Everywhere.

10 Q. Did you form a group to address your concerns with
11 Microsoft?

12 A. What we did was, we did a Mayday for Marriage in 2000 --
13 oh, my goodness. Man, that's tough now, been so long.
14 We did -- in the Safeco stadium, we did a rally of just
15 the aspect of protecting marriage. And that was my --
16 that was the outfit and the organization that I used,
17 Mayday for Marriage. And that following year -- I think
18 it was 2000 -- it was right before the 2004 election. I
19 think that was Bush's second go-round; isn't that right?

20 MR. PIDGEON: Mm-hm.

21 A. It was right before the 2004 election, we ended up going
22 to Washington, D.C., with that same type of rally for
23 protecting marriage.

24 Q. (by Ms. Egeler) And the Mayday for Marriage, do you
25 remember where that event was held?

1 A. Safeco stadium.

2 Q. And --

3 A. And the one in D.C. was on the Mall.

4 Q. And the Mayday for Marriage event, did you speak at
5 that?

6 A. I did, mm-hm.

7 Q. Do you recall how many people, roughly, were in
8 attendance?

9 A. Well, we had 30 days to put it together here at Safeco,
10 and I kinda figured if we can get the stadium, we'd be
11 able to do it. I think we had around 20, 25,000 people
12 there. And the one in D.C., we had like three months
13 more or so to get that done, and I think we had over
14 200,000 there.

15 Q. And when you spoke at Mayday for Marriage, do you
16 remember what you said? And I'm sure you don't remember
17 word for word, but --

18 A. All the --

19 Q. -- basically.

20 A. -- speakers had one major theme and that was protection
21 of marriage between a man and a woman, mm-hm.

22 Q. In addition to protecting marriage between a man and a
23 woman, did you speak about not permitting marriage
24 between two people of the same sex?

25 A. I don't think that that really came up very much at all

1 because that was not the purpose of the rally. If some
2 of the speakers said it or if it came out, it was in
3 conjunction with saying, okay, what marriage is is what
4 we are as believers and Christians, mm-hm.

5 Q. What threat to traditional marriage was the Mayday event
6 addressing?

7 A. Well, we just feel that the best avenue of a family is a
8 man, a woman and that that double representation in that
9 marriage for children was the better way that life, we
10 believe Biblically, was to be taught.

11 And that's where we stood. I mean, every one of
12 us, from -- I invited Dr. Dobson, James Dobson, who
13 came. The head of Family Research Council, Tony
14 Perkins, I invited him; he came. Just about everyone
15 that I invited came for this particular issue of not
16 being pushed to accept which Biblically we believe is
17 wrong and it was what we consider as a sin. And that is
18 our main purpose we're dealing with. It would be just
19 like anything else that we're against in the Bible.

20 And what most people want to say, especially
21 towards me, is that I got this agenda towards
22 homosexuals. No, one sin is just like another sin as
23 far as I'm concerned. And the reason why I think that
24 we've gotten so much publicity on this is because of our
25 harsh stand on not compromising marriage between a man

1 and a woman.

2 Q. And when you say that this is Biblically a sin, did you
3 say that to the group at --

4 A. Say it every time I get an opportunity to speak about
5 it.

6 Q. And specifically, that marriage that is between anyone
7 besides a man and a woman is what you're referring to as
8 the sin; correct?

9 A. Right.

10 Q. So in other words, same-sex marriage.

11 A. Right.

12 Q. And would you have made the same statement in
13 Washington, D.C.?

14 A. Same. It's just much bigger and more people.

15 Q. And then the differences with Microsoft, did it lead you
16 to start an effort to purchase Microsoft stock?

17 A. Yes, I did. And the whole aspect of -- I think that
18 most of our corporations are controlled and ran by
19 stockholders, and I thought, you know, one of the best
20 ways to do it is just get people involved with buying
21 stock. Then we can influence what is going on in that
22 corporation and in that business. It's absolutely legal
23 to do. And that's what I started, and it was quite a
24 ride. It was a lot of fun.

25 Q. And did you get a lot of press coverage of that?

1 A. I know that for a fact. And you can call Mount Si High
2 School and ask for Principal Taylor. You know, he --
3 they can give you all the -- everything I'm saying that
4 I tell you is the truth.

5 And I just had -- just finished with another
6 meeting just to refresh last Monday about the issues of
7 the Day of Silence. And I -- my thing was, okay, if you
8 gonna set a time aside -- we got day of respect. That's
9 for everybody. But then you turn around, you have a
10 special day for homosexual kids where all the kids says,
11 not a problem, but racism is. So you don't have -- if
12 you gonna have a special day, why don't we deal with
13 what the real problem is in this school, which at that
14 time was racism.

15 Q. So what did you do to express your concern with the
16 school's decision?

17 A. We sit down and says, okay, why are we having this day,
18 taking a whole day out to celebrate a lifestyle?

19 Q. And did you bring people to the school to protest?

20 A. That was only after they said, we gonna go ahead and do
21 it anyway, the next year. And so we had -- the
22 following year I asked, are you gonna have this Day of
23 Silence? Well, if you wanna day of -- I said, why not
24 do it the way Christians do it? We come in early,
25 before school, we go out the flagpole, we pray. School

1 is for education, not indoctrination, and they can do it
2 after school. No big deal. We're not saying you can't
3 do it, we're just saying, this is time for education
4 during the day.

5 Well, you can have a special day, if you want, for
6 Christians. That is defeating why I'm here. If I did
7 that, I'm hypocrite. I'm saying, if we got a day of
8 respect, why not put everything on the one day?

9 Q. So did you have a rally organized in 2008 --

10 A. Yes, we did. And over half the parents kept their kids
11 out of school that day.

12 Q. And did you bring people from the church with you?

13 A. Church, the community, because I live in the community.
14 We had people, I mean, come from all over to come and
15 stand with us --

16 Q. How many people --

17 A. -- at that rally.

18 Q. -- do you think?

19 A. Oh, my goodness. I don't -- please, I really don't
20 know, but probably five or six hundred. I don't know.
21 So yeah, something like that.

22 Q. And were there any people there that were taking the
23 opposite position and supporting --

24 A. Did you see --

25 Q. -- the day?

1 A. -- some of the paperwork that they put in up there? I
2 mean, we had homosexuals and homosexual activists that
3 literally tried to start fights with me. And I'm always
4 surrounded by people when I'm in public and people gonna
5 know I'm there, because the worst thing I could ever do
6 is to start a problem and hit someone. And that's
7 exactly what they tried to do. There was kids standing
8 next to me with a sign, "Throw Rocks Here." You know,
9 there's not a lotta love and a lotta tolerance in that
10 sign.

11 And we had to call the police, which was there,
12 that they were supposed to keep us separated at this
13 rally. That was the whole issue that we were supposed
14 to do, and they didn't. When I first walked up, I had
15 all these homosexual kids and homosexual activists come
16 to me, and here I am surrounded, with four or five guys
17 around me trying to protect me from all of them.

18 Q. And so the police did respond when you called?

19 A. Well, they was there. They were standing there looking.
20 And I said, hey, don't you guys think you better move up
21 here? Don't you think you better move -- we supposed to
22 have separate places for the crowd, those that are
23 standing against the Day of Silence and those that are
24 for it, and you're not doing your job.

25 Q. And did they --

1 A. And I expect you to do your job. And they finally did
2 move 'em back and put up a barrier, a rope.

3 Q. Between the two groups, the rope?

4 A. Between the two groups.

5 The things that were said, the language that was
6 used -- my wife was attacked with words, abusive, called
7 her a nigger lover, called us homophobes, hateful
8 people. They -- I mean, I can't even say some of the
9 things that they were saying right there with the
10 television and the cameras. But all of a sudden, none
11 of those things was on the news.

12 Q. And were any rocks thrown? You said there was a sign
13 about --

14 A. No. I mean, they -- that's what the sign was saying,
15 and he was standing right next to me with the sign over
16 my head, "Throw Rocks Here."

17 Q. Was anything thrown?

18 A. Oh, no. I mean, that wouldn't have happened.

19 Q. By either group. No -- neither group threw things.

20 A. No, mm-mm.

21 Q. Did either group sink to the level of physical violence?

22 A. No. Oh, no. I mean, it definitely wouldn't come from
23 our side. And everybody knows I'm not a pacifist.

24 Q. But you didn't react with --

25 A. No.

1 Q. -- violence.

2 A. No.

3 Q. And the other side didn't do anything violent either.

4 A. Well, until we got 'em away from us. I mean, coming up
5 in my face like this (indicating), what would you
6 consider that? Would you consider getting in my space?

7 Q. So how close were people standing to you?

8 A. I wish we had that picture. I know I got that picture
9 somewhere of the guys -- may look at the envelope
10 where -- I tried to bring a picture. He's standing
11 right over -- right next to me. I mean, he is here
12 (indicating).

13 Q. And let the record reflect that I'm guessing that the
14 pastor's about three inches away. Is that about right,
15 Pastor?

16 A. He's probably about four or five inches away from me.

17 I wish I had -- it may be in that big yellow
18 folder. [REDACTED] said she got a picture of the guy
19 standing right next to me with the -- there it is.
20 Here's one of 'em (indicating). This is when he's
21 walking up to me with the sign, and then he comes right
22 up right next to me on my side and was holding the sign
23 up, "Throw Rocks Here."

24 Q. Now, I'm looking at the picture. And do you want to
25 take a look and tell me how far away you think he was?

1 A. No, right there, he is not as close as he got. Because
2 all of a sudden, the guy that's with me, the bodyguard,
3 is trying to keep him from doing that. And that's when
4 they started really getting closer and closer to me, and
5 that's when we had to call the policeman and say, look,
6 you need to get those guys away from us or there's gonna
7 be some problems here and we're not gonna start it.

8 MR. MCBRAYER: Are you going to mark that, since
9 you're talking about it?

10 MS. EGELER: Can we be off the record for a second.

11 [Off the record - discussion]

12 [Exhibit 2 marked for identification]

13 Q. (by Ms. Egeler) So when we went off the record, we
14 discussed how to use the newspaper that
15 [REDACTED] brought today. It is a copy of The
16 [REDACTED]. And we
17 agreed that this article, which is on the front of that
18 section and then continues on to the next page, that our
19 court reporter will make a copy of that, including all
20 of the pictures that show the information that the
21 pastor was referring to -- well, all of the pictures,
22 including those we haven't discussed --

23 A. Mm-hm.

24 Q. -- yet.

25 Pastor, I notice in the picture on the front of our

1 Exhibit 2, so the front page of [REDACTED]
2 [REDACTED] that day, that you have a printed T-shirt on that
3 looks like it was a special shirt --
4 A. Mm-hm.
5 Q. -- for the rally. Can you tell me about what that shirt
6 said.
7 A. Yes. It's about education, not indoctrination.
8 Q. And what --
9 A. GLSEN is trying to indoctrinate. We say that school
10 time is for education.
11 Q. So what did the shirt say?
12 A. Let me get my glasses so I can say specifically.
13 Q. Part of it's hidden and --
14 A. Yeah.
15 Q. -- I just wanted to get that accurately reflected.
16 A. I think this one is -- says, "GLSEN Manipulation Day."
17 Q. And the picture shows you standing with a --
18 A. Microphone.
19 Q. -- a bullhorn --
20 A. Right.
21 Q. -- is that correct?
22 A. Mm-hm.
23 Q. And did you use that to speak to the large crowd that
24 had --
25 A. Yes.

1 Q. -- gathered?

2 A. Mm-hm.

3 Q. And do you remember what you told them?

4 A. It's just a fact that we're here today to take what we
5 believe is the truth Biblically, and that is that
6 marriage is between a man and a woman. And now that
7 GLSEN has gotten the Day of Silence in our schools, that
8 they are trying to indoctrinate and manipulate our kids
9 into saying something that we believe isn't right,
10 should be corrected, should be accepted, and should be
11 considered safe.

12 Q. And did you have any threats or harassment made to you
13 or the church after the rally?

14 A. All the way to the car.

15 Q. And what were those threats or harassment?

16 A. Yelling, screaming, calling me homophobic, hate -- you
17 know, hate filled, why don't I just accept gays as gays
18 are. I mean, any -- you can name it, they were
19 saying -- most of the signs that they had up there, they
20 were -- and we had to get the police to come down. I
21 mean, it got to the point where they was trying to block
22 me to get to the car so badly that we had to get
23 officers down there so I could make it to the car so we
24 could just leave.

25 Q. And did the officers help you to the car?

1 A. Oh, yeah.

2 Q. Were you pleased with the police --

3 A. No, I wasn't.

4 Q. -- officers?

5 And why not?

6 A. Because they didn't do their job. First thing is, if
7 you look in this picture that's on the front of here
8 (indicating), they were supposed to be that far away the
9 whole day. Now, just so -- the picture that showed you
10 the signs, where that kid was standing, if he didn't get
11 any closer to me, they didn't do their job by allowing
12 him to get that close.

13 I mean, my life -- whenever one of these things --
14 my life is in danger. I've gotten more threats than Van
15 Camp's has pork and beans. And I'm gonna sit there at a
16 rally and people have threatened me, say I should be
17 dead, I should be killed, I shouldn't even be last --
18 left alive for the next month or two, much less
19 anything -- and they let them get that close to me.
20 Someone could have shot me, someone could have cut me.
21 I mean, there are a lot of things that could have taken
22 place when they knew my life had been threatened.

23 Q. Let's talk about that.

24 So this individual that's pictured with the "Throw
25 Rocks Here" sign at one point was much closer to you.

1 A. Many. Not just him. Many was close.

2 Q. And I understood you to say that you asked the police to
3 respond --

4 A. I said, sir --

5 Q. -- and separate.

6 A. -- are you looking at what's going on here?

7 Q. And --

8 A. You are supposed to be keeping us separate and you're
9 not doing your job, when we come to find out later that
10 they had police officers and other members of law
11 enforcement up at the fireplace waiting for something to
12 break out. They didn't even have all the officers there
13 on the premises where they were supposed to be. I mean,
14 how -- if you're gonna have a rally and you gotta be
15 separated, how can you have that many people be set free
16 to come that close to me?

17 Q. If you could just listen to the question I'm asking you
18 and focus on that question.

19 I wanted to ask you, when you felt the people were
20 too close to you and you asked the officer to take
21 action, did the officer refuse to do so?

22 A. He said I had to wait -- he called his superior officer.
23 When the superior officer got there, then they moved the
24 people back.

25 Q. How long before the superior officer got there?

1 A. I don't know. Probably about five minutes.

2 Q. So about a five-minute response time.

3 A. Mm-hm.

4 Q. And when -- five minutes later, the police separated the
5 groups; is that --

6 A. Mm-hm.

7 Q. -- correct?

8 And how far apart did the police then keep the
9 groups?

10 A. It look like it's about 15, 20 yards, yeah.

11 Q. And do you think that, because they separated the
12 groups, that that prevented any sort of violence
13 occurring?

14 A. I know it did.

15 Q. So do you think that the police were instrumental in
16 helping to prevent violence?

17 A. Oh, I mean, if there was no police there, it would
18 have -- I think would have broken out into some type of
19 violence.

20 Q. That's a very strong statement, to state that the police
21 aren't doing their jobs. So --

22 A. Yeah, it sure is.

23 Q. -- do you believe --

24 A. And I --

25 MR. PIDGEON: I object to that --

1 MS. EGELER: Excuse me --

2 MR. PIDGEON: -- statement and as to the form of
3 the question.

4 Q. (by Ms. Egeler) After you asked them to split up the
5 group and they did so, did you continue to feel that the
6 police were not doing their job?

7 A. After they -- the head superior officer got there, they
8 did a great job moving everyone back. It was -- we had
9 some 45 minutes before that separation took place. It
10 started from the moment I got out the car and I started
11 walking towards the school. They saw me coming and then
12 here comes the whole crowd that was representing the
13 homosexual group and activists. They met me and walked
14 up to me long before we even got to the place. And
15 that's how it all started. As we moved toward, more and
16 more came and got around me and surrounded me.

17 Q. They surrounded you and told you that they disagreed
18 with you; is that correct?

19 A. That'd be a good statement to make, yes.

20 Q. But they didn't surround you and physically abuse you.

21 A. Oh, no, no. I think, with all the guys that I have,
22 that that was not gonna take place.

23 Q. Well, there were guys surrounding you and protecting
24 you.

25 A. Right.

1 seasons. If I write something, man, does the phone
2 calls come in or does the threats go up.

3 I wrote an article from the Center of Disease
4 Control. I said, these are not my words, this come from
5 the health department. If we're gonna have a school and
6 if we're concerned about the health of our children -- I
7 mean, we're eliminating trans fats because we say it's
8 unhealthy. We eliminated chips on lunch and pop on
9 lunch. We would not have a day to celebrate that which
10 the health department said is unhealthy.

11 And I gave all the details from the Center of
12 Disease Control about the lifestyle of a homosexual and
13 the danger of the lifestyle of a homosexual, bam, bam,
14 bam, bam, bam. These not my words, these are from the
15 health department. Now, if we're gonna get rid of that
16 which we say is unhealthy all the way down to trans
17 fats, sugar, and chips, why are we having a day to
18 celebrate and protect a lifestyle that has proven to be
19 unhealthy?

20 Q. I understand your position, but I'm wondering if you can
21 tell me about any time that your car's been vandalized.

22 A. Oh, you wanna go -- you want those type of things.
23 Okay, yeah.

24 Q. I do.

25 A. Okay, the first thing happened after the rallies. And

1 we was -- I was doing some articles because of all the
2 publicity that was happening with us --

3 Q. Which rallies?

4 A. The one at Mount Si, because it was two years in a row
5 that we really stood. Last year I backed off because I
6 was going through my treatments for cancer, so I wasn't
7 as vocal. I just did an article -- I was gonna do an
8 article, and the school paper -- well, wasn't the school
9 paper. It was -- the Snoqualmie Record, I think it was,
10 refused to -- even though I bought the page and paid for
11 the advertisement, they said they wouldn't print it. So
12 they turned me down.

13 And I asked 'em, why would you turn me down? This
14 is -- I paid for the page. I'm not asking you to do
15 it -- donate it. It's an article from the health
16 department. Well, sir, it's a family newspaper and we
17 don't want this kinda news in our paper.

18 Q. And what year was that?

19 A. That was last year. That was April last year, so
20 whatever --

21 Q. Is it --

22 A. April of 2009.

23 Q. Was it the same year as the Mount Si event?

24 A. It's the third -- it's two years after the Mount Si
25 event. Remember, I had the big rally and then we had a

1 smaller rally. We decided that we wasn't gonna go to
2 the school that year because of all the things that took
3 place the first year, and we didn't wanna put the kids
4 in that position again. So we didn't go to the school
5 as a rally that day, we just did articles and talking to
6 parents. And again, they took a large amount of the
7 kids outta the school.

8 Q. So let's go back.

9 My question was, have you ever had your car
10 vandalized as a result of your position --

11 A. Not my car, because our cars -- yeah.

12 Q. Please let me finish the question.

13 -- as a result of your stance on homosexual --

14 A. Right.

15 Q. -- behavior or same-sex marriage?

16 A. Right. We had an incident at the house, because
17 basically, everyone knows -- I don't have a private
18 residence. I mean, everyone knows where I live.
19 Private phone numbers, yeah, because of not wanting to
20 receive all the calls that I get at the office.

21 And my daughter was -- had a sleepover one night.
22 Well, I got gates. I got security gates because of all
23 the threats that I've gotten. And when a friend got
24 there that evening, the gate was closed. And she didn't
25 ring the bell, she just parked next to the gates outside

1 and walked up to the house. And my daughter told her
2 it's okay to walk up because, you know, our dogs was
3 locked up -- I have to have guard dogs -- because our
4 dogs was locked up, so it's okay to walk on in the
5 house.

6 Well, she left her car outside the gate. They
7 never went back to put the car up. The next morning, we
8 get up and go down there and every -- nothing was stolen
9 outta the car. Every window was busted: Side windows,
10 front windshield, back window. Just totally attacked
11 her car simply because it was parked in front of our
12 gates in front of the house. The next thing happened --

13 Q. Well, let me ask about that first.

14 A. Mm-hm.

15 Q. So had anything happened to the car other than the
16 windows being broken?

17 A. No.

18 Q. Was there anything painted on the car?

19 A. No.

20 Q. Was there a note left stating why the people had done
21 it?

22 A. No.

23 Q. Did you -- do you know for certain this wasn't an act of
24 random vandalism?

25 A. Could have been. I mean, it could have been. But

1 that's after what happened with our mail.

2 Q. Let's stay with this car incident.

3 A. Mm-hm.

4 Q. What year was that?

5 A. It would have to be the year after the big rally,
6 because my daughter was still in high school. So we did
7 the rally in '8, '08. No, we did the rally a little
8 earlier than '08. So it probably was '08 that the car
9 was attacked, the windows.

10 Q. And then you wanted to go to another incident and I --

11 A. Mm-hm.

12 Q. -- paused you to talk about this. So let's --

13 A. Yeah.

14 Q. -- go to the other incident you wanted to talk about.

15 A. Yes, it could -- like I said, it could have been
16 something that just happened, you know, but I don't
17 believe that because of what had taken place before. We
18 were sitting in our home and the neighbors came by, of
19 course, and rung the front gate to come in. And we
20 opened the gate and they came in and here is all of our
21 mail. They had stolen the mail for several days, I
22 guess, out of our mailbox and had taken it up the hill
23 and thrown it in the ditch. So, I mean, that's -- I
24 think that's pretty big offense.

25 Q. Who did this?

1 A. I don't know who did it. If I did that, they wouldn't
2 be walking around free.

3 Q. And why did they -- do -- you don't --

4 A. I think it --

5 Q. -- know who did it, so I assume you don't know why?

6 A. Well, I think it's because of who I am, because of the
7 threats and the things that people have said they wanted
8 to do to me.

9 Q. How do you know?

10 A. I don't know. You don't know. But I'm not -- there's
11 eleven to twelve mailboxes on our street on the bottom.
12 There's another seven or eight on the top of the hill
13 where I live at. Only mailbox that was stolen, anything
14 done with, no one else mailbox was touched except [REDACTED],
15 where I live.

16 Q. And was that in '08, then, as well?

17 A. I think it was '08.

18 Q. And did --

19 A. And so we had to end up, of course, getting one of those
20 security mailboxes.

21 Q. Did you call the police about the incident with the car
22 windows being broken?

23 A. Yes.

24 Q. Did they respond?

25 A. Well, I mean, yeah, I think they -- where were we? As

1 parents, I think we was outta town. And I think that my
2 daughter and her friend -- I can get more details about
3 it, if need be, that -- made the call that someone had
4 busted windows and had attacked the car --

5 Q. So you --

6 A. -- that evening.

7 Q. -- didn't -- you didn't actually see the --

8 A. Right.

9 Q. -- car, then. Okay.

10 You heard about this from your daughter?

11 A. Well, my daughter called, yeah, someone attacked our
12 friend's car.

13 Q. And how about with the mail? Did you call the police
14 about that?

15 A. Yes, we did.

16 Q. Did you get a response from the police about the mail?

17 A. Well, only response they could really give us is, yep,
18 someone stole your mail and you probably need to have a
19 better security system.

20 Q. So do you know if they had a way of finding who had --
21 who did this to your mail?

22 A. No.

23 Q. Were you dissatisfied with the police response either to
24 the car incident or the mail theft?

25 A. No. It's just if you're gonna make a stand, then that's

1 things that is gonna happen to you. And that's just
2 part of what it's been like for the last five, six
3 years.

4 Q. I understand.

5 Anything else that you've experienced? You talked
6 about phone calls.

7 A. Most of 'em I don't get because the front desk and
8 [REDACTED] takes care of those. We was getting so many so
9 frequently for a while with the Mount Si incident and
10 being down at Microsoft issue and then being in Olympia.
11 Man, oh, man, those -- that was almost an everyday -- I
12 mean, it was bad.

13 The people at work, you know, get nervous. You get
14 people calling in and saying that, you know, your
15 pastor's not gonna make it through the week, or, he --
16 you know, he needs to be dead, or, we're gonna get him
17 if we can catch him out. I mean, that's nothing to
18 laugh about.

19 Q. Did you hear any of those phone calls personally?

20 A. I try my best never to pick up those phone calls.

21 Q. So you didn't answer those phone calls --

22 A. No.

23 Q. -- yourself.

24 A. They came through the church office.

25 Q. So [REDACTED] would be more knowledgeable.

1 A. [REDACTED] and the receptionist.

2 Q. And by [REDACTED], I'm referring to [REDACTED], your
3 [REDACTED].

4 A. Right.

5 They put it in blogs. I mean, it wasn't just the
6 phone calls. They had it in blogs, they had it in their
7 newspaper, they had it in many of the -- I'm trying to
8 think of different articles. I mean, they don't like
9 me, you know, and that's understood.

10 Q. And do you think that people have a First Amendment
11 right to express that they don't like you or like your
12 views?

13 A. Not in the way they did, no.

14 Q. And how --

15 A. You don't threaten me and say, I want you dead. There's
16 no right for that.

17 Q. Let's talk about specific instances where people said
18 they want you dead. When and where?

19 A. Most the times this comes out -- like if there's an
20 article that I've done, there's always comments and
21 people respond in comments to the article, whatever.
22 You can find 'em there, you can find 'em when they would
23 call and follow up with a call to the office, you can
24 find it in articles that they would write. I think
25 they -- there's been some wild ones, even, in The

1 Stranger newspaper. I think that there's been some big
2 follow-ups from that paper about me.

3 Q. So did you actually have anyone physically attack you at
4 any point through these years of rallies and --

5 A. I'm too --

6 Q. -- protests?

7 A. I'm too careful to put myself in a position to be
8 attacked.

9 Q. And --

10 A. Because the -- and the reason why I am is because I'm
11 gonna be the one that's gonna end up in trouble.

12 Q. And did you tell the police about these comments and
13 death threats?

14 A. We have called and we have let the Redmond Police know.
15 We have reported because we are supposed to. And, you
16 know, at times they would say, what do we need to do?
17 We had one incident that got to the point where they
18 came to the office and there was a letter left

19 threatening. We never could prove who wrote the letter,
20 but it was a very derogatory, very profane explanation
21 of what they thought about me and what they wanted to do
22 to me.

23 Q. Do you have a copy of that letter?

24 A. Oh, my goodness. I -- if I -- no, I probably don't.

25 Q. Did you give it to the police?

1 A. I think the police did get it. I'm not sure.

2 Q. And how many times did you call the Redmond Police about
3 death threats or --

4 A. Whenever there was something would come in, they said,
5 let us know. You know, and it was -- it's kinda got to
6 be to the point where it's kinda on a regular thing:
7 Hey, we got some more calls; hey, we got -- just to let
8 you know. No one's come to the office except that one
9 time that letter was dropped off. And so --

10 Q. And when you've called the Redmond Police, have they
11 been responsive?

12 A. Oh, yeah.

13 Q. Are you displeased with the Redmond Police?

14 A. I'm not displeased with the Redmond Police at all. If I
15 had any, it's -- like I said, it was more protecting the
16 people up at Snoqualmie.

17 Q. Have there been any attacks on the church, the structure
18 itself?

19 A. Well, not on the church -- our church, because we rent.
20 So it's --

21 Q. And where --

22 A. -- you know, not ours.

23 Q. Where do you hold services?

24 A. We hold services at the [REDACTED] school in
25 [REDACTED] Sunday morning.

1 But what did happen was, we had a big rally at
2 [REDACTED], and it was announced that we
3 was gonna be using their church for our rally. It was a
4 worldview conference. Had nothing to do with anything
5 concerning this issue.

6 Q. And when did -- when was that rally?

7 A. It would be April of -- I think it was 2008, 2009.

8 Q. Did the rally --

9 A. It -- and it was concerning -- around the same time as
10 that Day of Silence, so I was in the news. And they
11 came to work in the morning and there was grafitti
12 written all over the church, you know, homophobe this
13 and hater, and they took glue and stuck it in all of the
14 keyholes on the outside doors. And I don't think
15 [REDACTED] had done anything to get those, but that's --
16 so it had to be because we was coming there that weekend
17 and use the building.

18 Q. Did the grafitti have any words?

19 A. Yes. You'd have to ask the church, because they washed
20 it off pretty quick because people was coming in for a
21 rally that evening.

22 Q. Did you see the grafitti?

23 A. No.

24 Q. And that didn't have anything to do with Referendum 71,
25 then?

1 A. I couldn't tell you if it did or not. But I do know if
2 you are standing against them, you will be harassed and
3 you will be attacked in words and threats.

4 Q. So the Mount Si rally that is in the newspaper article
5 that we've put into the record and that you have there
6 in front of you, that was in April of '08. And you said
7 you thought that the event at [REDACTED] was around the
8 same time?

9 A. Mm-hm.

10 Q. So by around the same time, do you mean within that
11 spring of 2008?

12 A. Yes. I can get a specific date for you. But we have
13 our worldview conference the same every year and we
14 usually have it in April. Early May at the latest, but
15 it's usually April.

16 Q. But it would be the same year, 2008 --

17 A. Mm-hm.

18 Q. -- as the rally?

19 A. We had a rally in -- so it's '10 now. We didn't do very
20 much in '9, like I said, because of treatment. And '7
21 and '8 we had the -- '7 was the big rally, I think.

22 Q. You were nodding, so I'm just going to ask again to make
23 sure we get it clearly on the record.

24 A. Mm-hm.

25 Q. You think that the [REDACTED] event would have been in

1 the spring of 2008.

2 A. Yes, I believe so. I don't think it was last year, I
3 think it was the year before.

4 Q. Has there been any sort of attack or grafitti or
5 vandalism of the church office?

6 A. No. No, we got all security cameras and everyone knows
7 that the office is pretty well secure.

8 Q. And we talked about two things occurring at your home,
9 the broken windows of the car --

10 A. Mm-hm.

11 Q. -- and the mail theft. Anything else at your home?

12 A. No. I mean, with security fences and dogs, there's not
13 very much going on at the house.

14 Q. And you said your home address is public.

15 A. Oh, yeah, everyone knows where I live.

16 Q. Did you ever have anyone come to services and disrupt
17 services?

18 A. Well, they've been to our service. They don't disrupt.
19 I mean, I'm too much fun.

20 Q. And by they, who do you mean?

21 A. We've had many visitors that are homosexual. One year,
22 right after we did -- had the Microsoft -- when that was
23 huge news, we had a boycott. The homosexual community
24 boycotted the church service. And so they let us know
25 they was coming. So all of a sudden, you know, okay,

1 America, rally.

2 Q. But if I could finish my question.

3 A. Yeah, okay.

4 Q. If Protect Marriage Washington listed you as an endorser
5 or supporter of Referendum 71 --

6 A. Mm-hm.

7 Q. -- that would be a surprise to you?

8 A. No, because so many people talked to me about it. They
9 could have said, are you for it? Oh, yeah, you know.
10 Would you support it? Yeah. It wouldn't be a surprise
11 they put my name on it, no.

12 Q. And did you ever have any open statements on the Protect
13 Marriage Washington Web site about your position on
14 Referendum 71?

15 A. I could not tell you unless they was quoting me from
16 some of the speaking engagements. Like I said, I went
17 and spoke at several doing rallies, so they could have
18 quoted me from those, mm-hm.

19 MS. EGELER: Let me mark this as Exhibit No. 3.

20 [Off the record - discussion]

21 [Exhibit 3 marked for identification]

22 Q. (by Ms. Egeler) What I've handed you is what we're
23 marking as Exhibit 3 to your deposition.

24 A. Mm-hm.

25 Q. And this is -- states at the bottom of the page from the

1 [REDACTED]. And it states,
2 "State Leaders Support REJECT R-71 Effort" --

3 A. Right.

4 Q. -- exclamation point. And the second statement purports
5 to be a quotation from [REDACTED] --

6 A. Right.

7 Q. -- [REDACTED]. Do you see where I am?

8 A. I am. Yes, I see exactly.

9 Q. Is that a quotation from you?

10 A. I'm sure it is if they said that. But I'm saying it's
11 probably at one of the rallies I was at, probably not at
12 the church or something I specifically wanted them to
13 print. So I'm sure that is something it sounds like I
14 would say at the -- either the Concerned Women of
15 America or one of the other rallies, other churches that
16 pastors had got together.

17 Q. So did you do a number of rallies with respect to
18 Referendum 71?

19 A. Not very many, because I wasn't feeling well at the
20 time. So it was limited. I would have probably done a
21 lot more if I was as healthy as I wanted to be.

22 Q. And you talked -- you were talking about one with a
23 women's organization. Can you tell me about that.

24 A. My goodness. It's probably at -- up in the Alderwood
25 area before -- had to be before the vote. And it was

1 a -- I think it was a two-day rally, a Friday and a
2 Saturday. And I came in and spoke that Saturday.

3 Q. To the rally?

4 A. To the rally, yeah.

5 Q. Any other rallies you remember for Referendum 71?

6 A. Man, I probably did some things on the news, radio,
7 people calling me, because I'm always called. I mean,
8 just who I am and, you know, what -- people know where I
9 stand. So that's probably the best that I can say,
10 that -- radio interviews, people calling me getting
11 quotes, Concerned Women of America rally. So those
12 would be the ones I can remember.

13 Q. Do you remember if you had a Referendum 71 sign in your
14 yard at your house?

15 A. No.

16 Q. No, okay.

17 A Referendum 71 bumper sticker?

18 A. No.

19 Q. Do you feel that you experienced harassment or threats
20 as a result of your public speaking regarding
21 Referendum 71?

22 A. Absolutely.

23 Q. Can you tell me about that.

24 A. Well, anytime -- like I said earlier in the deposition
25 here, that anytime my name is mentioned in the paper,

1 anytime there is an issue that is concerning the
2 homosexual issue that my name is mentioned, anytime I'm
3 on TV, anytime I am interviewed and it get -- go public,
4 I am gonna get threats and I'm gonna get calls. It's
5 automatic. It's just gonna happen. I'm gonna be
6 threatened.

7 Q. Can you tell me specific incidents that occurred as a
8 result of your speaking on Referendum 71 as opposed to
9 prior to Referendum 71, the stance that you took with
10 respect to homosexuality?

11 A. Well, I think they think I'm a nut and I think they look
12 at me as being inconsistent, because if I am for equal
13 rights for minority of blacks, they think I should
14 understand the fight that they're going through.

15 Q. Did you have anything happen at the church as a result
16 of your speaking out regarding Referendum 71?

17 A. They're not -- no. I mean, that is not gonna happen at
18 the church, it's not gonna happen at the office. But
19 the thing that's gonna happen is the calls and the
20 threats that comes through the -- you know, the bloggers
21 and all that.

22 Q. So which blogs did you receive threats on as a result of
23 your involvement with Referendum 71?

24 A. I think you'd have to probably just look at some of the
25 articles and the comments that come after those

1 articles. Like if this (indicating) came out in the
2 paper, it won't be long; I'm gonna get calls. They're
3 gonna come in. I mean, it is automatic. They're gonna
4 find some way to harass me about my stand, and that's
5 automatic. I don't have to worry. I don't have to say,
6 you know, it's not gonna happen.

7 The only time that I can say that I haven't gotten
8 many harassment calls was after that article that was in
9 The Stranger, the one I wrote. I think that you -- did
10 you get a copy of that? I think --

11 Q. We might have.

12 A. Yeah, I think you did.

13 MR. MCBRAYER: It's right --

14 MR. PIDGEON: That's it right there.

15 MR. MCBRAYER: -- right there (indicating).

16 A. Which was an absolute amazing surprise to us, that no
17 one wanna dispute the article and that the more they
18 talked about the article, the worse my case was made.
19 And so that's -- now, that's the only article in ten
20 years that was not very much response. They were so
21 angry at that being printed by The Stranger itself, they
22 got -- The Stranger got attacked for printing that
23 article. So I was glad someone else could share.

24 Q. (by Ms. Egeler) So did you receive any death threats
25 specifically because of your position on Referendum 71?

1 A. If it was, I wouldn't have known, because I don't
2 receive the phone calls. The church takes care of
3 those. And if it's something that is bad enough, they,
4 hey, says, you know, we got phones -- call today, people
5 are upset about what you said, they don't like your
6 stance on the referendum. Or they say, hey, you know,
7 we need to take some extra caution Sunday; this came in.

8 But I try never to really listen at the calls. I
9 mean, it don't do me any good to have that in my head.
10 And, you know, I'm trying to stay straight and not be
11 prejudiced myself towards those who's threatening me.

12 Q. So you did not see anything threatening to kill you
13 following your endorsement of Referendum 71.

14 A. No. Only thing that came up was, there were some
15 comments that came through that says, you know, this guy
16 should be taken out, this guy isn't worth living. I
17 mean, I've gotten so many of those now.

18 When I was going through the Microsoft issue and
19 when we was going through standing against -- for
20 marriage -- which is what I do. I'd rather stand for
21 something than to stand against something, and that's
22 what I do. And if you're gonna stand for something,
23 then they're saying you are standing against and that's
24 how it is. And I -- at times, I was getting 400 threats
25 a year. I mean -- and so if they know who I am and have

1 the freedom to threaten, what would the average citizen
2 do if their name gets out there and feel threatened?

3 Q. Well, let's talk about what you said. You said that
4 there have been so many comments that they want to take
5 you out. How many were there saying they want to take
6 you out specifically with connection to your stance on
7 Referendum --

8 A. I don't think you can tie them in --

9 Q. Excuse me; let me finish.

10 A. Okay.

11 Q. -- specifically with respect to your stance on
12 Referendum 71?

13 A. I don't think you can separate that in my life.

14 Q. Then how many have you received -- how many phone calls
15 or messages have you received that talk about taking you
16 out?

17 A. Oh, my land. You know, if it was less than 900, I would
18 probably -- that's very conservative in the last four or
19 five years.

20 Q. And do you think that these people that make those kind
21 of remarks are cowards just using words?

22 A. I don't take the chance that they're cowards. Someone
23 that says that has got it in their mind.

24 Q. Have you ever seen someone act on it?

25 A. Well, I think the group that was up there at Mount Si

1 acted on it, and it would have been worse if the police
2 wouldn't have stepped in.

3 Q. Any other instances where they acted on it?

4 A. The rallies. We was down at Safeco Field. Oh, my land,
5 the words and the things they did. And we invited them
6 in to come and sit, and they took a whole section. And
7 they had sexual toys and they was screaming bad words
8 and things at the speakers. Dr. Dobson had to stop at
9 one time and turn and address them, that we're glad
10 you're here. I mean, it isn't a very tolerant group.

11 Q. You say the things they did at that Mayday rally. What
12 things did they do?

13 A. The interruption with the loudness, the section that
14 they all sat in, having the -- like I say, the sexual
15 toys they were showing. And, I mean, we got kids
16 there --

17 Q. But did they --

18 A. -- at this rally.

19 Q. -- do something that made you think they were going to
20 take you out, some sort of physical --

21 A. The amount of threats -- no. It was the amount of
22 threats that came in before that rally. And everyone
23 didn't think that it was gonna be that successful,
24 because we only had 30 minutes (sic) to do it. But once
25 they saw the success of it, boy, it exploded. I mean,

1 they -- and that's why we had police everywhere at that
2 rally. I mean, we had state police, we had Seattle
3 Police, we had everyone there because I had gotten so
4 many threats; I mean, hundreds and hundreds of
5 threats --

6 Q. Do you feel that --

7 A. -- to my life.

8 Q. -- that the police stopped violence from occurring?

9 A. I guarantee you they did.

10 Q. So were you pleased with the police response?

11 A. I was, very. The King County at the time -- boy, how
12 many years ago was that? Because Reichert was the head
13 of the sheriff's department at that time. And when they
14 started, they -- because we thought they may try to come
15 down on the field from the stands. And he just -- he
16 gave a word, they went down, they stood down along the
17 walls, and that shut that down immediately. We had
18 three or four hundred other protesters outside blocking
19 people from getting in. And so it was not the kind of
20 thing where you feel loved.

21 Q. So how were people able to get in if they were blocked?
22 Did the police --

23 A. They --

24 Q. -- help with that?

25 A. Yes. They just kept -- you know, people just didn't say

1 anything. We had said, look, don't say anything, keep
2 focused. You're probably gonna run into protesters, but
3 just get to the stadium, and you've got protection there
4 and you're gonna be okay.

5 Q. So do you know if any of your parishioners signed
6 Referendum 71?

7 A. I'm sure they did. I mean, yeah.

8 Q. And do you know of any of them being attacked or
9 harassed or threatened?

10 A. No. They enjoy attacking their pastor.

11 Q. So the --

12 A. Most of the people, if it's gonna be an attack, it's
13 gonna be towards me. Very seldom they gonna just come
14 at our people. They don't know our people. They don't
15 know where they stand. But if this -- their names get
16 out, what's gonna keep 'em from being harassed and
17 attacked?

18 Q. But do you know of anyone being -- in your church other
19 than you, who've been very public and are the center --

20 A. Right.

21 Q. -- and focal point of your church, do you know of any
22 ordinary parishioners attracting threats or harassment
23 as a result of signing the petitions?

24 A. No. No, I could not say that I know anyone personally.
25 But people don't know 'em. They don't know who they

1 are.

2 Q. Now, you've been involved in so many activities. We've
3 talked about the Microsoft shareholder meeting and the
4 Mount Si rally and Mayday and huge rally in Washington,
5 D.C., and then endorsement of Referendum 71.

6 A. Mm-hm.

7 Q. And you said that the year of Referendum 71, you were
8 ill and couldn't make as many appearances as you'd like;
9 is --

10 A. Mm-hm.

11 Q. -- that right?

12 A. Mm-hm.

13 Q. You stated that you've averaged as many as 400 threats
14 or harassing comments a year. Did -- since you were not
15 as physically able to get out and publicly speak in
16 2009, did you experience 400 a year?

17 A. No, no. If I'm not very active, it's not as much. And
18 that is why, you know, that responding to this
19 (indicating) -- I mean, if that came out in the paper,
20 the phone's gonna go off the hook. It's just automatic,
21 because all of a sudden they had a -- you know, the
22 great homophobe is speak out again. And they feel that
23 this is a responsibility -- I don't know if they're
24 trying to scare me. I don't know why they would even do
25 it. It hasn't worked, you know. But they keep trying.

1 They won't give up.

2 MR. MCBRAYER: At some convenient point, could we
3 go off the record, take a break, five minutes?

4 MS. EGELER: Sure.

5 MR. MCBRAYER: Whenever you get to a convenient
6 point.

7 MS. EGELER: Okay, we can take a break now. That's
8 fine.

9 [Off the record - recess]

10 Q. (by Ms. Egeler) Pastor, we've talked about all sorts of
11 harassment. And I want to narrow it down just to
12 harassment that you've experienced as a result of your
13 stance on Referendum 71 and ask, is there any form of
14 harassment you experienced that we didn't talk about?

15 A. I can't think of anything that we haven't talked about.
16 I think that the difficulty in talking about
17 Referendum 71 is, you're trying to limit what -- the
18 attacks that I've had on this whole issue.
19 Referendum 71, it's just one of many of why I have been
20 attacked, called, threatened. And so Referendum 71 just
21 give them another excuse to come after me.

22 Q. Is it fair to say that it's hard to separate out why a
23 particular person called you, whether they're angry
24 about the Mount Si rally or other things they've seen in
25 the paper, as opposed to Referendum 71?

1 A. Well, I think it's the same issue. The issue is
2 standing against homosexuality. Whether it was the
3 Mount Si rally; whether it was the Mayday for Marriage
4 at Safeco; whether it was going to Washington, D.C., to
5 have that rally; whether it's standing up in front of a
6 little group of women talking about what needs to be
7 done, the issue is that if you stand against
8 homosexuality, you will be harassed.

9 Q. You talked about Web sites that had threatening comments
10 on them. Can you tell me which Web sites you're talking
11 about?

12 A. Oh, my goodness. You know, you are asking me to do
13 something I very seldom try to pay attention to. [REDACTED]
14 probably would have been a better person or the people
15 at the church, because most of the time I get these,
16 they say, hey, look what came in, or, look what showed
17 up on this, or, look what happened after your article.
18 You know, and then I read 'em and -- or disregard 'em.
19 I don't wanna read 'em.

20 So there is countless Web sites and bloggers that
21 will -- some of -- the ones that probably really
22 advertise 'em, one that surrounds the gay-sensitive
23 newspaper here in town, The Stranger, because, you know,
24 anything they print about me is gonna cause a lot of
25 response.

1 Q. Is it fair to say that you don't and haven't gone to
2 look at the Web sites or blogs yourself, you hear about
3 them from others?

4 A. Oh, yeah. I mean, it's -- you know, they'll send 'em to
5 me or they'll let me know. You know, I may follow up
6 then. But as far as just trying to go out and find, no.
7 I mean, threats are bad enough. I don't wanna go
8 looking for 'em.

9 Q. So you couldn't tell me the names of any specific Web
10 sites or blogs?

11 A. No. You wanna look at -- you know, like I say, you can
12 look at The Stranger Web site. You can look at any of
13 the articles that was in these papers (indicating) and
14 look at the comment pages, if they still have 'em. I
15 mean, you can see 'em for yourself.

16 Q. And again, you've told the Redmond Police about each of
17 these instances where there's a threat.

18 A. We're always letting 'em know. A lotta the time, you
19 know, they can come in four or five days and so many.
20 We just may wait and give 'em a call and say, hey, we
21 just wanna let you know that we received some calls, we
22 received some threats, and just keep you posted.

23 Q. Do you think the Redmond Police make any effort to go by
24 the church, drive by now and then, just to make sure
25 everything's going okay?

1 A. I think they would. I mean, they know this crazy
2 citizen of theirs there in Redmond and they know what's
3 going on. So, you know, we're pleased with the police.
4 I mean -- yeah.

5 Q. And do you think that they've helped to stop any actual
6 violence from occurring?

7 A. I couldn't tell you. They haven't allowed us to know.

8 Q. And as part of your appearing here today, there was a
9 subpoena duces tecum issued to you, and it asked you to
10 bring all records stored in paper or electronic
11 format -- and I'll paraphrase -- that talk about threats
12 or harassment that you've received. And you've brought
13 quite a stack of newspapers with you here today; thank
14 you. Does this compromise (sic) all of the paper or
15 electronic images or discussion of harassment or threats
16 or retaliation related to Referendum 71 that you have?

17 A. I would -- probably one that would know about all the
18 paperwork and things that come in, the threats, the
19 calls, would be more the people at the church, and I
20 think you talked to [REDACTED] about that. But, you know,
21 you can get so many, you just kind of hit the delete
22 button after -- why keep 900 --

23 Q. Do you have any --

24 A. -- Emails?

25 Q. Do you have any Emails?

1 get attacked, I'm gonna hear something any and every
2 time I'm in the news.

3 Q. After Referendum 71, we had an election in November of
4 2009.

5 A. Right.

6 Q. So the issue, at least in terms of the election, is --

7 A. Right.

8 Q. -- is settled. Have you continued to speak out on
9 issues involving homosexuality?

10 A. Every opportunity I get, yeah, I do.

11 Q. So you've spoken since November of 2009.

12 A. Oh, yeah, mm-hm.

13 Q. And have you continued to receive harassment or threats
14 as a result of that?

15 A. There's always gonna be some kinda call, there's always
16 gonna be some kinda written response to anything I write
17 every time I do it. Like I said, the only time it was
18 scary that I didn't get any was from the newspaper. The
19 newspaper got attacked, but I didn't.

20 MS. EGELER: Okay, I don't have any more questions
21 at this time.

22

23 EXAMINATION

24 BY MR. MCBRAYER:

25 Q. I had a couple, [REDACTED], on direct. This is Ryan

1 A. -- the guys got too close or whatever, yeah. I mean,
2 they got -- the guys that were surrounding me did get,
3 you know, body contact or people would push or say
4 something, you know, trying to get to me. They had to
5 get physical contact to them to get to me. And so
6 they -- I was very proud of the guys for keeping their
7 calm.

8 Q. Were there any punches thrown?

9 A. No. Oh, no, no.

10 Q. People trying to get closer to you to shout.

11 A. Let me know that they did not appreciate me being there
12 and what they thought of me.

13 Q. Did anybody say that day that they were going to kill
14 you?

15 A. No, not to us. No.

16 Q. Well --

17 A. This whole incident, if I can say, was -- and I wanna
18 say it correctly and I wanna say it straight. This
19 whole incident that happened at Mount Si, you gotta
20 understand the background behind it, because most people
21 don't. I'm classified as one of the number-one
22 homophobes definitely in the Northwest, probably in the
23 nation. You know that, right?

24 Q. I wasn't aware of that until today, but --

25 A. Okay.

1 Q. -- I understand that's your testimony.

2 A. Right. And you can just read it. I mean, you can just
3 go to the Web, go to Google, you can go to Wikipedia,
4 you can do anything you want. You can find out real
5 quickly that I'm basically classified as the number-one
6 homophobe.

7 Now, when this issue came up about the Day of
8 Silence, my kids was in the school. They allowed it to
9 be announced. The teachers that stood up and booed when
10 I was there speaking for the Martin Luther King Day
11 booed. Teachers, not just students, booed me. And it
12 was the most important day of my daughter's life,
13 because the second girl got me to come when she was a
14 senior, which was four years later, okay? My daughter
15 and I came is the first one.

16 So they basically wanted me to come that year so
17 they had a way to make it a national issue. If they
18 could beat the number-one homophobe in his own school,
19 that would be quite a victory. They had lawyers come
20 from California, they had lawyers come from New York,
21 they bussed in people to the school boards. I mean, it
22 was a major issue. So when I went there to do that
23 rally, it was not a local issue, it was to defeat this
24 person who is against us. And that's why it was so --
25 the tension was so strong.

1 Q. Well, let me ask you kind of a summary question, and I'd
2 like you to disagree with me if you can.

3 A. Sure.

4 Q. Let me take that. If you're the -- in your own words,
5 one of the most prominent alleged homophobes in the
6 country --

7 A. Mm-hm.

8 Q. -- going to a rally where people are being bussed in --

9 A. No, that was at the school board.

10 Q. But going to a rally at a time when there was a lot of
11 not only local but national attention on this --

12 A. Mm-hm.

13 Q. -- rally, where you arrived 30 minutes early for the
14 rally --

15 A. Mm-hm.

16 Q. -- where the police did not separate the groups --

17 A. Mm-hm.

18 Q. -- for this initial period of --

19 A. Mm-hm.

20 Q. -- time, where the people protesting in favor of gay
21 rights or against you were emotional and vociferous --

22 A. Mm-hm.

23 Q. -- and yet no physical violence occurred.

24 A. Mm-hm.

25 Q. Is there anything wrong about what I just said?

1 A. No.

2 Q. I mean, is there anything inaccurate?

3 A. No, not really. No.

4 Q. You spoke at one point about the [REDACTED]
5 incident where you were going to speak at the worldview
6 conference.

7 A. Mm-hm.

8 Q. Did you see any of the grafitti on the church yourself?

9 A. No, I did not. Remember I said, is -- they had removed
10 it pretty quickly once they came in that morning.

11 Q. I just -- I wanted to make sure that that was -- they
12 had removed all of it and you didn't see any of it.

13 A. I didn't see any of it.

14 Q. Your understanding of what was said is based on what
15 church members told you.

16 A. Right, church members of [REDACTED].

17 Q. Of [REDACTED].

18 A. Mm-hm.

19 Q. You also spoke or testified this morning about a
20 letter -- particular letter that someone left at your
21 church --

22 A. Mm-hm.

23 Q. -- that was very explicit in, I think you said, the kind
24 of things they wanted to do to you.

25 A. Mm-hm.

1 Q. Is there only -- I want to make sure I'm talking about
2 the correct letter. Is there --

3 A. Right.

4 Q. Is there one letter that stands out in your mind in that
5 regard as --

6 A. The reason --

7 Q. -- being explicit?

8 A. Yes. The reason why that letter was -- you know, had
9 more of an impact is because they got that letter and
10 put it inside the office. So someone had entered our
11 office and left that letter there. And that had never
12 happened before and it hasn't happened since. So that
13 would catch my attention.

14 Q. Did the writer of the letter express their motivation
15 for making the threats against you?

16 A. Yeah, I think it was quite specific about not liking me
17 and think that I -- they should hurt me.

18 Q. I understand that they threatened to hurt you. My
19 question is, was there a tie in the letter -- in the
20 letter itself. I understand that you may -- I'll get to
21 your belief.

22 A. Right.

23 Q. But did the letter writer say that he was writing the
24 letter because of your stance regarding homosexuality?

25 A. Yes, yes.

1 Q. And when was that letter left?

2 A. We was -- that was two buildings ago, so --

3 Q. So it hasn't been since Referendum 71 --

4 A. No.

5 Q. -- was filed or --

6 A. That was before.

7 Q. -- been in any way connected to --

8 A. Right.

9 Q. -- that.

10 MR. MCBRAYER: I don't think I have any more
11 questions. Thank you.

12 THE WITNESS: Thank you.

13 You have any questions?

14 MS. EGELER: Mr. Dixson, do you have any questions?

15 MR. DIXSON: No, I'm good. Thank you.

16 MR. PIDGEON: Yeah, I have a number of questions.

17 THE WITNESS: Super.

18

19 EXAMINATION

20 BY MR. PIDGEON:

21 Q. [REDACTED], if you don't mind me calling you that --

22 A. Please, please.

23 [Off the record - discussion]

24 Q. (by Mr. Pidgeon) Let's start with the top: Marriage.

25 Is -- what is your understanding as to how marriage is

1 formed?

2 A. I think that the -- all the way back to the first
3 couple, and that was Adam and Eve. And I believe that
4 if you gonna do something, you do try to do it right the
5 first time. And I think that God thinks that marriage
6 between a man and a woman is the best way, because
7 that's how he started the whole relationship process of
8 starting families.

9 Q. So you see marriage as a God-ordained institution?

10 A. A hundred percent.

11 Q. And you say a hundred percent.

12 A. I agree that marriage is a God institution, 100 percent
13 belief that the Bible teaches that, and that's what I
14 stand on.

15 Q. What do you think about the State's position that
16 marriage is, in fact, a state-ordained institution?

17 A. Well, I think that it could be a state feeling, it could
18 be a national feeling, it could be a world feeling.
19 Doesn't override my belief in what the Bible says.

20 Q. Now, you've -- you said here just a few minutes ago that
21 you're the number one -- you've been tagged as the
22 number-one homophobe.

23 A. Definitely in the Northwest --

24 Q. In the Northwest.

25 A. -- and very close to the top nationwide.

1 Q. It's good to be number one. All right.

2 Now, let me ask you, what does homophobe mean?

3 A. I think it's not a word. You know, just like today
4 we've developed Islamophobe. I think it's a way to try
5 to intimidate. I think it's a word that's used to --
6 saying that you are prejudiced toward a certain group of
7 people, homosexuals; that you are fearful of
8 homosexuals; and that you have an agenda against them.
9 And I have none of those.

10 Q. So you would say that the term "homophobe," number one,
11 is not a real word?

12 A. Right.

13 Q. And number two, does not correctly label you.

14 A. Absolutely not.

15 Q. As to your understanding of what the definition is.

16 A. Right.

17 Q. Now, have you taken positions that are opposed to
18 abortion, for instance --

19 A. Yes.

20 Q. -- in the church?

21 Have you taken positions that are opposed to
22 frivolous divorce --

23 A. Yes.

24 Q. -- in the church?

25 A. Any divorce.

1 Q. Any divorce.

2 A. Yes.

3 Q. Have you taken positions that are opposed to alcoholism
4 and drug abuse?

5 A. Absolutely.

6 Q. Now, when you have taken those positions, have you ever
7 been attacked or threatened by alcoholics, for instance?

8 A. No.

9 Q. Have you ever been attacked or threatened by any groups
10 representing divorcees?

11 A. No.

12 Q. Have you ever been attacked by pro-choice -- by the pro-
13 choice lobby?

14 A. No.

15 Q. Have you ever been sued by the pro-choice lobby?

16 A. No.

17 Q. Have you ever had protesters in front of your church
18 from the pro-choice lobby?

19 A. No.

20 Q. Have ever received a death threat from the pro-choice
21 lobby?

22 A. None.

23 Q. Have you ever received a death threat from the pro-
24 divorce lobby?

25 A. No.

1 Q. How about from the pro-alcohol or drug-use lobby?

2 A. No.

3 Q. If there is such a thing.

4 A. Don't make news.

5 Q. How about Overeaters Anonymous? Did they ever --

6 A. None.

7 Q. -- they ever threaten you? Okay.

8 So would you say that 100 percent of the threats
9 that you have received have come from the homosexual
10 community?

11 A. Yes.

12 Q. And would you describe the homosexual community as
13 having a nature of bullying?

14 A. I would describe them as a group that is sold out to
15 what they believe as much as I am, and they're gonna do
16 what it takes to make that belief known and get it
17 passed for everyone to accept.

18 Q. Would you describe them as -- just generally speaking
19 now, if you were describing their reputation --

20 A. Mm-hm.

21 Q. -- to the community, would you describe this group of
22 homosexual activists as threatening?

23 A. Yes, I would.

24 Q. Menacing?

25 A. At times, yes. With the amount of threats I've gotten,

1 yes.

2 Q. Harassing?

3 A. Yes.

4 Q. Vicious?

5 A. At times, yes.

6 Q. Have you ever felt that you were being stalked by the
7 homosexual community?

8 A. With the amount of calls and the amount of letters and
9 the amount of articles, yeah, I do, very much so.

10 Q. Now, you indicated in your testimony that you have gates
11 around --

12 A. Mm-hm.

13 Q. -- your property?

14 A. Mm-hm.

15 Q. When did you --

16 A. I do.

17 Q. When did you put those gates up?

18 A. We probably put 'em up about five years ago, almost six.

19 Q. And you also have dogs?

20 A. I do. None of 'em are Christians.

21 Q. As they have -- are you trying to say that your dogs
22 have no sense of mercy?

23 A. They have no sense of forgiveness, yes.

24 Q. And the -- why did you put gates up and introduce dogs
25 to your property?

1 A. I've always, you know, had dogs. I mean, that's because
2 of just who I am, even in pro ball. I mean, you get
3 people that -- groupies and different things that, you
4 know, you just need protection. And then when the whole
5 issue started with the homosexual community and my
6 stands, and then I have -- a family and kids came about,
7 I go, we gotta do something more about security. And
8 that was the thing that we wanted to do, was, you know,
9 put the security gates and things up.

10 Q. So would you say that the gates and the extra security
11 measures were directly and proximately caused by the
12 threats you were getting from the homosexual community?

13 MS. EGELER: Objection --

14 MR. MCBRAYER: Objection --

15 MS. EGELER: -- leading the witness.

16 MR. MCBRAYER: -- yeah, leading.

17 Q. (by Mr. Pidgeon) Let me see if I can ask that in a
18 different way.

19 A. Okay.

20 Q. Apparently that question was over the top.

21 Did you place the gates around your property as a
22 result of the threats you were receiving from the
23 homosexual community?

24 A. That was the main purpose --

25 Q. Was that --

1 A. -- why we put the --

2 Q. -- the main reason?

3 A. That was the main reason we put the gates up.

4 Q. And since you put the gates up, they've been fairly
5 effective to secure you?

6 A. Yes, they have.

7 Q. Now, is there such a thing as a bounty on you?

8 A. There was several over the years. I understand that it
9 got up to -- oh, my goodness -- if they could find some
10 dirt on me, I think it was -- went from up to 500,000,
11 like a half a million then, to up over a million. And,
12 you know, those are just the things I kept hearing from
13 people all over the U.S.

14 I had one buddy call me from Alabama and says, hey,
15 have you seen the new bounty they got on you? I go, no,
16 I try not to even deal with this. Well, you better deal
17 with this, you know, because they're trying to find dirt
18 on you and, you know, anyone could come up with that
19 kinda information have a million dollars. And that was
20 right before the situation took place with the head of
21 Evangelical Association, Ted Haggard.

22 Q. So is it your understanding that there is some kind of a
23 motive inside the homosexual community to scandalize or
24 to bring pastors down through scandal?

25 A. Oh, I -- it's been proven. We don't have to think.

1 That is a proven fact.

2 Q. And so to your knowledge, there was a bounty for
3 somebody -- they were -- somebody inside the homosexual
4 community -- let me see if I can ask this question more
5 clearly.

6 Is it your understanding that somebody inside the
7 homosexual community was willing to pay up to a million
8 dollars to get information of sufficient scope to
9 scandalize you as a pastor?

10 A. Yes, that's what -- the information I had received.

11 Q. I want to go back and talk a little bit about the Day of
12 Silence --

13 A. Okay.

14 Q. -- at Mount Si.

15 Now, let me ask you, is it your understanding
16 that -- how this Day of Silence works, that -- tell me
17 again what you think this Day of Silence was about.

18 A. Okay. Compared to the first year that we had to deal
19 with it and what they say it's for now has really
20 changed, because we just have put so much pressure on
21 the school about the day. Now they say it is about
22 protecting the kids that have been bullied because they
23 are homosexual. So I had asked the question --

24 Q. What was it before?

25 A. It was basically in support of the lifestyle.

1 Q. So let me see if I get this right. So the Day of
2 Silence was that we were going to have a Day of Silence
3 here at this public school paid for with tax dollars
4 that is going to be anybody who is willing to say
5 they're in support --

6 A. Right.

7 Q. -- of the gay lifestyle doesn't say anything all day
8 long.

9 A. Right.

10 Q. Was that the agenda?

11 A. Right.

12 Q. So then can we assume that the contrary was true, that
13 anybody who spoke during that day would be considered a
14 homophobe?

15 A. Well, they were considered not in support of the
16 homosexual lifestyle.

17 Q. Do you know whether or not there was castigation or
18 otherwise a looking down upon those people who spoke
19 during the Day of Silence in the school?

20 A. I think it was -- you know, the kids -- like I said,
21 they had voted about what they thought the major issues
22 were at the school. Homosexuality wasn't mentioned,
23 homosexual bullying wasn't mentioned at any of the
24 out -- you know, the results of those surveys.

25 And so it was kinda like whoopee do to most of the

1 kids. I mean, it wasn't like, okay, you know, if you
2 don't -- if you decide to speak, boy, you know, you --
3 it's -- we gonna really get you, or, if you decide to
4 stay quiet, we really gonna get you. It -- there was --
5 well, whatever you wanna do that day, we gonna make it
6 through and move on. I think that was the attitude of
7 most of the students, because there was so many teachers
8 that was behind the support of the day.

9 Q. So the day was being supported and advocated by the
10 teachers --

11 A. Yes.

12 Q. -- at the school?

13 A. Yes.

14 Q. To your knowledge, was there any student movement behind
15 it whatsoever?

16 A. They said it was the GSA. And like I said, the more we
17 got into it and looking at it, you know, how can it be
18 the Gay-Straight Alliance when there was not even one
19 gay student at that first year that was in the Gay-
20 Straight Alliance? So that kinda was suspect to me, and
21 that's why my wife and I stood as strongly as we did.
22 And we just stood up as parents. I told 'em, I'd rather
23 get to know you as a parent, not as a pastor, and I'd
24 like to get this worked out between parent and teachers
25 in school than anything else.

1 done.

2

3

FURTHER EXAMINATION

4 BY MS. EGELER:

5 Q. Pastor, you talked about taking positions on divorce.

6 A. Mm-hm.

7 Q. Have you spoken at rallies about divorce?

8 A. I've spoken about all the major issues. We even mention
9 those when we's dealing with some of the marriage,
10 because if you don't talk about support of marriage --
11 you gotta deal with every aspect of supporting marriage,
12 and one of the destroyers of marriage is divorce. And
13 so I've spoken about that many times.

14 Q. Have you spoken at any rallies about abortion?

15 A. Oh, yes.

16 Q. Can you tell me when those rallies were?

17 A. Oh, my goodness. I speak so many times, I wouldn't be
18 able to tell you specifically dates and those things.
19 But you can pretty well follow up on anything I speak
20 on. If I'm dealing with family issues, those are gonna
21 be some of the major issues I'm gonna deal with:
22 Divorce, abortion, gambling. I've done a great deal on
23 gambling. I've spoken totally against -- even down to
24 jealousy. I mean, it's -- if it's a Biblical issue, I'm
25 gonna speak on it.

1 Q. Can you tell me any rally that you spoke at about
2 abortion where abortion was the key issue at that rally?

3 A. I think it was -- oh, man -- maybe two, three years ago
4 when that -- those people were standing out in front of
5 churches with the pictures of aborted babies and the
6 fetuses that they were showing. And I was talking about
7 the insensitivity toward others that may have had an
8 abortion, that our job is not to condemn, but to help
9 them through the situation and realize don't do it
10 again. So I've always spoken about those major issues
11 like that, yes.

12 Q. So you've spoken about a more peaceful approach to the
13 debate about --

14 A. Right.

15 Q. -- abortion?

16 A. I'm -- you know, I'm just really surprised that, you
17 know, the only attacks I really have gotten is towards
18 when I stand up against the homosexual issue and stand
19 strong for traditional marriage.

20 Q. Are you the number-one antiabortion person in the
21 Northwest?

22 A. No. I'm not classified much of anything else outside of
23 number-one homophobe.

24 Q. And would you say that's because your positions and
25 appearance -- public appearances regarding same-sex

1 marriage and homosexuality, that's the predominant topic
2 that you've spoken about?

3 A. No, it's the predominant issue that they made outta
4 news. Okay?

5 Q. So --

6 A. The --

7 Q. -- would -- excuse me.

8 Would you --

9 A. Yeah.

10 Q. -- say that you have spoken about homosexuality and
11 marriage more than you have spoken about the issue of
12 abortion?

13 A. Over the years, probably the last four or five years,
14 I've spoken more about the issue of marriage than I have
15 anything else, simply because that has been the
16 forefront, mm-hm.

17 Q. And how much more? Would you say you've spoken ten
18 times more than --

19 A. Probably about ten times more, yeah.

20 Q. And --

21 A. But we're a lot hard -- I can say this to you
22 straightforward: We're a lot harsher on our members in
23 our church about divorce than we ever were on
24 homosexuality. We've kicked folks out of our church
25 because they've gotten divorced. Brought 'em before the

1 church, told the church what it was for, and told 'em to
2 remove fellowship and you have just lost your membership
3 in this church, bye.

4 Q. You said that you think that the media has run stories
5 more about your position on --

6 A. Yes.

7 Q. -- homosexuality than about your position on other
8 issues; is that right?

9 A. That's right.

10 Q. How much more, would you say? Ten times more, a hundred
11 times more? What --

12 A. I think --

13 Q. -- would you say?

14 A. -- it's definitely 20, 30, 40 percent more than it is
15 for homosexuality than with any other issue I stand on.

16 Q. Has the media run any stories about your position on
17 abortion?

18 A. I haven't read one.

19 Q. Has the media run any stories at all about your position
20 on drugs and alcohol?

21 A. No. And we have a drug-and-alcohol ministry at the
22 church.

23 Q. Has the media run any stories at all about your position
24 on isolated to divorce between a man and a woman?

25 A. Not really. If it's mentioned, it's so brief you

1 wouldn't be able to remember. And like I said, we're a
2 lot more -- we're a lot harder on divorce than we are
3 any issues on homosexuality.

4 Q. So in talking about the media, I'm talking about
5 radio --

6 A. Right.

7 Q. -- TV --

8 A. Right.

9 Q. -- Internet --

10 A. Right.

11 Q. -- print.

12 A. Right.

13 Q. So all of those media forms are focusing on your stance
14 with respect to homosexuality.

15 A. Right.

16 Q. You talked about bounties being placed on you, and I
17 wanted to make sure I understood what you meant by a
18 bounty. That was money that would be awarded to someone
19 for finding scandalous information about --

20 A. Right.

21 Q. -- you?

22 A. Same thing -- I think you remember the story of Ted
23 Haggard?

24 Q. I don't. Can you --

25 A. Okay.

1 Q. -- tell me.

2 A. Ted Haggard was the president of the Evangelical
3 Association, one of the most powerful Christian
4 organizations in the U.S., and they found out
5 information about him having a homosexual relationship.
6 And it destroyed him, the family, almost destroyed the
7 church, because they was able to take someone who was
8 supposed to be standing on His right side against
9 homosexuality and marriage and was participating in the
10 lifestyle.

11 And they didn't want me dead. I mean, that makes
12 me a martyr. But if they -- they know what the
13 Christian community's all about, and if you're
14 hypocritical, you have just destroyed your witness.

15 Q. Do you know who put these bounties out?

16 A. No. Never even research 'em. They just -- people will
17 call me and say, hey, bro, you better watch out who you
18 hang out with, who you travel with. That's why I never
19 travel alone. That's why I always have someone with me.
20 That's why I always have -- if it's -- you know, if I
21 can't have my wife, I'm gonna have one or two other guys
22 or something who's gonna be with me if I'm in a public
23 place.

24 Q. And these guys can attest to the fact that you aren't
25 out with women --

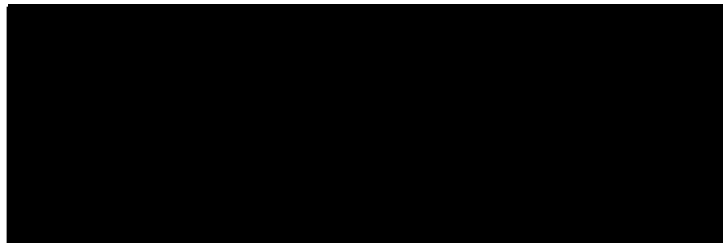
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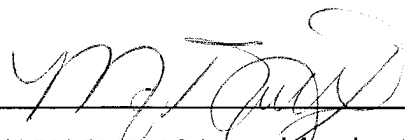
COUNTY OF KING)

I have read my within deposition and the same is true and accurate except for any changes and/or corrections, if any, as noted by me on the correction sheet hereof.



SUBSCRIBED AND SWORN to before me on this, the

27th day of October, 2010.



NOTARY PUBLIC in and for the State of
Washington residing at Redmond,
Washington.

Notary expires: 6/23/13

